FEDERAL REGISTER

VOLUME 21 NUMBER 109

Washington, Wednesday, June 6, 1956

TITLE 3—THE PRESIDENT

PROCLAMATION 3137

FLAG DAY, 1956

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS it has become the custom of the people of the United States to set aside June 14 of each year for the commemoration of the adoption of the Stars and Stripes as our national flag by the Continental Congress on June 14, 1777; and

WHEREAS it is highly appropriate that on that day we should contemplate the meaning of this flag which we honor and cherish and under which we serve; and

WHEREAS this glorious emblem symbolizes the high resolution of our forebears that they would leave to posterity a Nation founded upon the principles of freedom and justice; and

WHEREAS, in order to fulfill the responsibilities and to enjoy the privileges inherent in our priceless heritage, it is fitting that we should rededicate ourselves on that commemorative day to the perpetuation of those lofty principles; and

WHEREAS the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), has formally designated June 14 as Flag Day and has requested the President to issue annually a proclamation calling for the observance of that day:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby direct that the flag of the United States be displayed on all Government buildings on Flag Day, Thursday, June 14, 1956, and I call upon the people to observe that day with special ceremonies designed to give expression to our love for our country's flag and our reverence for the ideals for which it stands.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this first day of June in the year of our Lord nineteen hundred and [SEAL] fifty-six, and of the Independence of the United States of America the one hundred and eightieth.

DWIGHT D. EISENHOWER

By the President:

HERBERT HOOVER Jr.,
Acting Secretary of State.

[F. R. Doc. 56-4507; Filed, June 5, 1956; 12:01 p. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 4—PROHIBITED PRACTICES

RAILROAD RETIREMENT BOARD

Paragraph (i) is added to § 4.203, to read as follows:

§ 4.203 *Federal positions the incumbents of which are permitted to hold State and local offices.* * * *

(i) *Railroad Retirement Board.* State or local employees may serve in the position of graphotype operator for part-time employment not to exceed ninety days.

(R. S. 1753; sec. 2, 22 Stat. 403, as amended; 5 U. S. C. 631, 633, E. O. 10530, 19 F. R. 2709, 3 CFR, 1954 Supp)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 56-4422; Filed, June 5, 1956; 8:52 a. m.]

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

EXPORT-IMPORT BANK OF WASHINGTON

Effective upon publication in the FEDERAL REGISTER, paragraphs (a) and (b) of § 6.340 are amended as set out below.

§ 6.340 *Export-Import Bank of Washington:* (a) One Executive Vice President.

(Continued on p. 3855)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

(b) One Senior Vice President.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 56-4423; Filed, June 5, 1956; 8:52 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

[FHA Instruction 424.2]

PART 324—CONSTRUCTION AND REPAIR (FARM OWNERSHIP AND OTHER PROGRAMS)

PLANNING FARM DEVELOPMENT FOR FARM OWNERSHIP AND INDIVIDUAL SOIL AND WATER CONSERVATION LOANS

Subpart B in Part 324 of Title 6, Code of Federal Regulations (19 F. R. 4173), is hereby revised to delete reference to the Farm Housing program, to add reference to individual Soil and Water Conservation loans, and to read as follows:

SUBPART B—PLANNING FARM DEVELOPMENT (FARM OWNERSHIP AND INDIVIDUAL SOIL AND WATER CONSERVATION LOANS)

Sec.
324.21 Definitions.
324.22 Policies.
324.23 Responsibilities.
324.24 Salvage or disposition of surplus structures, and use or sale of timber, sand, gravel, and stone.

AUTHORITY: §§ 324.21 to 324.24 issued under sec. 41 (1) 60 Stat. 1066, sec. 6 (3), 50 Stat. 870, sec. 10 (a) (7), 68 Stat. 735; 7 U. S. C. 1015 (1), 16 U. S. C. 590w (3), 16 U. S. C. 590x-3. Interpret or apply sec. 2 (3), 50 Stat. 869, sec. 1, 60 Stat. 1072, sec. 44 (b), 60 Stat. 1069, secs. 9, 10, 68 Stat. 735; 7 U. S. C. 1001, 1018 (b), 16 U. S. C. 590s (3), 590x-2, 590x-3.

§ 324.21 *Definitions.* In connection with Farm Ownership and Individual Soil and Water Conservation loans, the following terms are defined:

(a) "Farm Development" means construction and land development.

(b) "Construction" means such work as erecting, improving, remodeling, repairing, relocating, adding to, or salvaging any building or structure, and the installation or repair of, or addition to, heating and electric systems, farmstead wells and water systems, sewage disposal systems, walks, steps, and landscaping.

(c) "Land Development" means items such as terracing, clearing, leveling, fencing, drainage and irrigation systems, ponds, forestation, permanent pasture, perennial hay crops, and basic soil amendments.

§ 324.22 *Policies.* The following policies will be observed in planning farm development:

(a) *Methods of performing farm development.* Planned farm development will be performed by the contract method, the borrower method, or a combination of both the contract and the borrower methods.

(1) *Contract method.* Items of farm development requiring considerable skill or special equipment, such as new dwellings, barns, plumbing, heating and electrical work, land leveling, well drilling, irrigation and drainage installations, should be performed by the contract method whenever possible. All contract work should be performed by a person, firm, or company qualified to provide the services required under the terms of the contract.

(2) *Borrower method.* Items of farm development may be performed by or under the direction of the borrower only when he possesses the necessary skill, desire, technical knowledge, and managerial ability to complete the work satisfactorily, and when such work will not interfere seriously with his farming operations.

(b) *Minimum standards.* All planned construction will be consistent with the minimum construction standards as set forth in Farmers Home Administration regulations governing this subject. All planned land development will be consistent with the recommendations of the State Agricultural Extension Service and the Soil Conservation Service.

(c) *Extent of farm development.* When planning farm development in connection with a Tenant Purchase, Farm Enlargement, or Farm Development loan, it will be the policy to provide for construction and land development necessary to put the farm in livable and operable condition at the outset, consistent with the planned farm and home operations. For a Building Improvement loan, the total building facilities must provide for the successful operation of the farm. For a Soil and Water Conservation loan, improvements will be planned to the extent agreed upon between the applicant and the County Supervisor.

(d) *Excessive buildings.* Dwellings or other farm buildings which are considered to be in excess of the needs of the farm, or would be significantly more expensive than similar buildings in the area, will not be improved or constructed with loan funds.

(e) *Repair of existing buildings on farms being considered for Farm Ownership loans.* Dilapidated buildings which are not worth repairing should be razed and any usable materials salvaged. On the other hand, buildings of value and potential usefulness should be repaired.

(f) *Completion of farm development.* All farm development will be scheduled for completion as quickly as practicable and no later than 15 months from the date of loan closing, except that an item of land development, or a portion thereof, may be scheduled for completion at a date later than the 15-month maximum limit, only when completion of the planned land development within 15 months is contrary to proven practices recommended by the State Agricultural Extension Service or the Soil Conservation Service.

(g) *Providing funds.* The total cash cost of all planned farm development will be shown on Form FHA-643, "Farm Development Plan." Funds will be provided in the loan, from cash on hand, Agricultural Conservation Program payments to be received, or from the sale of property in accordance with § 324.24. Income to be earned will not be considered for financing items of farm development planned on Form FHA-643.

(1) *Deferred advances (direct Tenant Purchase, Farm Enlargement, or Farm Development loans).* In justifiable cases, a deferred advance may be provided for an item of land development, or a portion thereof, which is planned for completion at a date later than the 15-month maximum limit in accordance with paragraph (f) of this section.

(2) *Multiple advances (Soil and Water Conservation loans).* Provisions may be made for more than one advance of Soil and Water Conservation loan funds in accordance with applicable Farmers Home Administration regulations governing multiple advances.

§ 324.23 *Responsibilities.* Planning construction and land development, and obtaining technical services are the responsibility of the applicant, with such assistance from the County Supervisor as may be necessary to insure that the farm development is properly planned.

(a) *Responsibilities of the applicant.* (1) When technical services are required, the applicant will arrange for obtaining

these services from qualified technicians and tradesmen. He will be responsible for furnishing the County Supervisor with sufficient information to describe fully the planned improvements and the manner in which they will be accomplished.

(2) When construction is to be performed, the technical information will include such items as building plans, construction details, specifications, material lists, cost estimates, and other required data.

(3) When land development is to be performed, the technical information will include estimated costs and quantities, construction details, specifications, plans, and material and equipment lists.

(i) When land development consists of, or includes, the conservation and use of water for irrigation or domestic purposes, the information submitted to the County Supervisor will include a statement as to the source of the water supply, right to the use of the water, and the adequacy and quality of the supply. In States which do not have laws governing the use of water for domestic or irrigation purposes (Riparian Doctrine States), the applicant will be required to furnish evidence to meet the requirements of Farmers Home Administration regulations covering Soil and Water Conservation loan policies regarding Compliance with Special Laws and Regulations.

(ii) When the loan includes funds for land leveling, irrigation, or drainage, a map of that portion of the farm to be improved will be prepared, showing the existing conditions with respect to topography, elevations, soil types, and natural drainage, together with the proposed land development. When land leveling is to be performed, information regarding the depth of top soil, depth to hardpan, rock or gravel, and soil conditions requiring special treatment will be shown on the map or on an overlay map. When an irrigation system is to be installed, the location of the water supply, permanent ditches and pipelines, and the areas to be irrigated will be shown on the map. When drainage is involved, drainage installations will be shown on the map, together with fields or areas to be drained.

(4) Whenever possible, the applicant will pay with personal funds any charges made for technical services in connection with his proposed farm development. If this cannot be done, the cost of such services may be included in the loan.

§ 324.24 *Salvage or disposition of surplus structures, and use or sale of timber, sand, gravel, and stone.* (a) In planning farm development, the applicant and the County Supervisor, to the extent practicable, should use salvage from old buildings, and timber, sand, gravel, and stone from the farm.

(b) When the farm has surplus buildings, timber, sand, gravel, or stone for immediate sale that is not to be used in performing farm development and that can be sold, the applicant may sell it and use the net proceeds in paying the costs of performing planned farm development. Except in the case of a Soil and Water Conservation loan secured only by chattels, the following will apply:

(1) When it is agreed that the applicant will dispose of materials, such agreement will be recorded in the narrative of Form FHA-643, which as a minimum will:

(i) Identify the property to be sold; specify the approximate date of the sale, method of marketing, and minimum acceptable price; and indicate the estimated net proceeds.

(ii) Provide that the borrower will deposit the net proceeds in the supervised bank account, use them for planned farm development, and apply any excess net proceeds as an extra payment on the loan.

(iii) Obligate the Government to release the identified property from the mortgage without additional consideration.

(2) The agreement will be considered by the Government as modifying the mortgage contract to the extent of authorizing and requiring the Government to release the identified property subject to the conditions stated in the agreement without payment of other considerations at the time of release, regardless of whether or not the mortgage specifically refers to Form FHA-643, or the agreement to release.

(3) Net proceeds derived from the sale of property so released will be used to accomplish only such items of farm development as properly can be accomplished with loan funds.

(4) In case the loan will be secured by a junior lien, before the loan is approved, any prior mortgagee must give written consent to the proposed sale and the use of the net proceeds.

Dated: May 31, 1956.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 56-4409; Filed, June 5, 1956; 8:49 a. m.]

Subchapter E—Account Servicing

[FHA Instruction 451.2]

PART 362—COLLECTIONS

AUTHORITY TO CERTAIN FARMERS HOME ADMINISTRATION EMPLOYEES

Section 362.2, Title 6, Code of Federal Regulations (20 F. R. 6989), in authorizing employees in bonded positions to receive, receipt for, exchange for money orders or bank drafts, and transmit collections, is amended so as to read as follows:

§ 362.2 *Authority.* Farmers Home Administration employees in bonded positions are hereby authorized to receive, receipt for, exchange for money orders or bank drafts, and transmit collections.

(R. S. 161, sec. 6 (3), 50 Stat. 870, sec. 41 (1), 60 Stat. 1066, sec. 510 (g), 63 Stat. 438, sec. 4 (c), 64 Stat. 100; 5 U. S. C. 22, 16 U. S. C. 590w (3), 7 U. S. C. 1015 (l), 42 U. S. C. 1480 (g), 40 U. S. C. 442 (c))

Dated: May 31, 1956.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 56-4410; Filed, June 5, 1956; 8:49 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1956 C. C. C. Cotton Bulletin 1]

PART 427—COTTON

SUBPART—1956 COTTON LOAN PROGRAM

1956 COTTON BULLETIN

This bulletin contains the regulations specifying the instructions and requirements with respect to the 1956 Cotton Loan Program of Commodity Credit Corporation (hereinafter referred to as CCC) formulated by CCC and the Commodity Stabilization Service (hereinafter referred to as CSS). Loans will be made available on upland and extra long staple cotton produced in 1956, in accordance with this bulletin.

Sec.

AUTHORITY: §§ 427.701 to 427.732 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421.

§ 427.701 *Administration.* Under the general direction and supervision of the Executive Vice President, CCC, the Cot-

ton Division and other appropriate Divisions of CSS will carry out the provisions of this subpart. In the field, the program will be administered through the New Orleans CSS Commodity Office, 120 Marais Street, New Orleans 16, Louisiana (referred to in this subpart as the "New Orleans office"), and Agricultural Stabilization and Conservation (referred to in this subpart as "ASC") State and county committees (referred to in this subpart as State committees and county committees, respectively). Forms will be distributed by the New Orleans office and will be available at county ASC offices (referred to in this subpart as county offices) and at approved lending agencies, approved warehouses, and others designated to participate in the loan program. State and county committees and the New Orleans office do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements hereto.

§ 427.702 *Availability of loans*—(a) *Loans.* Loans will be available to eligible producers on eligible cotton and will be made available through warehouse, farm-stored, and bill of lading loans.

(b) *Area.* Loans on cotton covered by bills of lading will be available in areas specified by the New Orleans office. Warehouse and farm-stored loans will be available on:

(1) Upland cotton wherever produced in the continental United States.

(2) Extra long staple cotton produced in areas designated in this subparagraph.

(i) American-Egyptian cotton produced in Cochise, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, Santa Cruz, and Yuma Counties, Arizona; Imperial and Riverside Counties, California; Dona Ana, Eddy, Luna, Otero, and Sierra Counties, New Mexico; and Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, and Ward Counties, Texas, at the rates shown in § 427.732.

(ii) Sea Island and Sealand cotton produced in Atkinson, Berrien, Cook, and Lanier Counties, Georgia; and Alachua, Bradford, Columbia, Hamilton, Jefferson, Lake, Madison, Marion, Orange, Putnam, Seminole, Sumter, Suwannee, Union, and Volusia Counties, Florida; and Sea Island cotton produced from seed planted in 1956 in Puerto Rico at the rates shown in § 427.732.

(c) *Time.* Loans shall be available from the date rates are announced through April 30, 1957. Notes and chattel mortgages covering farm-stored cotton must be signed by the producer and delivered to the county office on or before April 30, 1957. Note and Loan Agreements covering warehouse-stored cotton must be signed by the producer and delivered to the lending agency on or before such date or postmarked not later than April 30, 1957, if tendered for direct loans to the New Orleans office by mail.

(d) *Source.* Loans will be available from approved lending agencies or from the New Orleans office. Disbursements on loans will be made to producers by approved lending agencies under agreements with CCC, or by the New Orleans office. Disbursement of loans by approved lending agencies will be made not later than April 30, 1957, except where specifically approved by the New Orleans office in each instance. The producer shall not present the loan documents for disbursement unless the cotton is in existence and in good condition. If the cotton is not in existence and in good condition at the time of disbursement, the producer shall promptly refund the proceeds.

§ 427.703 *Approved lending agency.* An approved lending agency shall be any bank, corporation, partnership, association, individual, or other legal entity which has entered into a Lending Agency Agreement-Cotton (CCC Cotton Form D) with CCC. Banks and other agencies desiring to enter into Lending Agency Agreements should make application to the New Orleans Office, which will enter into such agreements on behalf of CCC.

§ 427.704 *Producer.* A producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision, producing eligible upland or extra long staple cotton in the capacity of landowner, landlord, tenant or sharecropper.

§ 427.705 *Eligible producer.* A producer will be entitled to a loan on eligible upland or extra long staple cotton produced by or for him in 1956 on a farm (as defined for purposes of cotton marketing quotas) for which a 1956 acreage allotment for such kind of cotton has been determined under Title III of the Agricultural Adjustment Act of 1938, as amended and supplemented, if all of the following requirements are met:

(a) The 1956 planted acreage (as determined for purposes of cotton marketing quotas) of such kind of cotton on the farm does not exceed the 1956 cotton acreage allotment for the farm for such kind of cotton. For the purpose of determining eligibility for a loan, the upland or extra long staple cotton acreage on the farm will not be deemed to be in excess of the acreage allotment for such cotton unless such acreage allotment for such kind of cotton is knowingly exceeded. If the producer operating the farm is notified that such acreage allotment has been exceeded and the planted acreage is not adjusted to such acreage allotment within the period allowed under the notice, such acreage allotment shall be deemed to have been knowingly exceeded by the producers having an interest in the cotton.

(b) Where eligible cotton is produced by a landlord and his share tenant or sharecropper, a loan may be obtained only as follows:

(1) If the cotton is divided among the producers entitled to share in such cotton, each landlord, tenant, or sharecropper may obtain a loan on his separate share.

(2) If the cotton is not divided, (i) the landlord and one or more of the share tenants or sharecroppers may obtain a joint loan on their shares of such cotton, or (ii) the landlord may obtain a loan on cotton in which both he and one or more share tenants or sharecroppers have an interest if he has the legal right to do so, and in such cases the share tenants or sharecroppers must be paid their pro rata share of the loan proceeds and their pro rata share of any additional proceeds received from the cotton. In no case shall a share tenant or sharecropper obtain a loan individually on cotton in which a landlord has an interest.

§ 427.706 *Eligible cotton.* Eligible cotton shall be upland cotton produced in the United States in 1956 or extra long staple cotton planted in 1956 and produced in areas designated under § 427.702, which meets the following requirements:

(a) Such cotton must be of a grade and staple length specified in § 427.732.

(b) Such cotton must not be false packed, waterpacked, mixed-packed, reginned, or repacked; upland cotton must not have been reduced in grade or staple for any reason, except that any such cotton which is reduced not more than two grades because of preparation will be eligible; extra long staple cotton must have been ginned on a roller gin, shall be of normal character, and must not have been reduced in grade or staple for any reason.

(c) Such cotton must not be compressed to high density.

(d) Such cotton must have been produced by the person tendering it for a loan and such person must have the legal right to pledge or mortgage it as a security for a loan.

(e) If the person tendering such cotton is a landlord or landowner, the cotton must not have been acquired by such landlord or landowner directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant or sharecropper, it must be his separate share of the crop, unless he is a landlord and is tendering cotton in which both he and one or more share tenants or sharecroppers have an interest.

(f) The person or association tendering such cotton must not have previously sold and repurchased such cotton.

(g) Each bale of cotton must weigh not less than 350 nor more than 650 pounds, gross weight, and must be adequately packaged in new material manufactured for cotton bale covering, except used jute and sugar bagging will be acceptable if such bagging is clean and in sound condition. Heads of bales must be completely covered. New bagging used in the Cotton Experimental Bale Cover Program sponsored by the National Cotton Council, Memphis, Tennessee (hereinafter referred to as "Experimental Bale Cover Program") will be acceptable provided there is attached to each bale covered with such bagging a tag which identifies such bale with the program, the type of cover used on such bale and which shows the actual tare weight and the number of pounds to be added to the gross weight of the bale for the purpose of adjusting the bale to the normal gross weight under such program.

§ 427.707 *Forms.* The following documents must be delivered by producers in

connection with every loan except loans made pursuant to §§ 427.724 and 427.730.

(a) *Warehouse-stored loans.* (1) Cotton Producer's Note and Loan Agreement (CCC Cotton Form A, referred to in this subpart as "Form A").

(2) Warehouse receipts complying with the provisions of § 427.719.

(3) Producer's Letter of Transmittal (CCC Cotton Form B, referred to in this subpart as "Form B") if the loan is obtained direct from the New Orleans office.

(b) *Farm-stored loans.* (1) Cotton Producer's Note (CCC Cotton Form E, referred to in this subpart as "Form E").

(2) Cotton Chattel Mortgage (CCC Cotton Form F, referred to in this subpart as "Form F") and Cotton Mortgage Supplement (CCC Cotton Form FF, referred to in this subpart as "Form FF") covering the cotton tendered as security for a loan.

(3) Form B if the loan is obtained direct from the New Orleans office.

(c) *Cotton represented by order bills of lading.* (1) Form A executed within the area and during the period such loans are available.

(2) Order bill of lading in a form acceptable to CCC and representing the cotton tendered as security for the loan.

(3) If the Receiving Agency is not a warehouseman, Weight and Condition Certificates complying with the provisions of § 427.722 and a Receiving Agent's Certificate.

(4) Form B if the loan is obtained direct from the New Orleans office.

(d) *Loan documents executed by an administrator, executor or trustee.* Loan documents executed by an administrator, executor or trustee will be acceptable only where valid in law and must be accompanied by documentary evidence of the authority of the person executing the form or by a repurchase agreement of the lending agency. Copies of this agreement may be obtained from the New Orleans office. State documentary revenue stamps shall be affixed to loan documents where required by law. A producer who desires to appoint an attorney-in-fact to act in his place and stead in obtaining loans shall use Power of Attorney (CCC Cotton Form 18) which must be filed with the New Orleans office.

§ 427.708 *Approved storage.* Loans will be made only on cotton in approved storage.

(a) *Warehouses.* Cotton will be accepted as security for loans only if stored by warehouses approved by CCC. Warehousemen desiring approval of their facilities should communicate with the New Orleans office. The names of approved warehouses may be obtained from the New Orleans office or State or county offices.

(b) *Farm storage.* Cotton in farm storage will be accepted as security for loans only if stored in a structure approved by the county committee for the county in which the cotton is stored. Such structures may be on or off the farm and must afford safe storage and protection against weather damage, poultry and livestock, and reasonable protection against fire and theft. If the producer does not own the premises where the cotton is stored and his lease on such premises expires prior to September 30, 1957, the owner of such premises must execute the Consent for Storage on the Cotton Mortgage Supplement. Any other tenant who has a right or interest in the premises must also execute the Consent for Storage.

§ 427.709 *Weight and rate.* (a) loans will be made on the gross weight of upland cotton and on the net weight of extra long staple cotton. Notes covering cotton pledged on reweights will not be accepted if it is evident that such reweights reflect an increase in weight due to the absorption of additional moisture. In making loans on upland cotton covered with cotton bagging made of cotton material manufactured specifically for covering cotton bales an allowance of 7 pounds per bale will be added to the gross weight of the bale. In order to encourage improved wrapping methods and compensate for resulting reduced tare weight, in making loans on upland cotton wrapped with material under the Experimental Bale Cover Program there will be added to the gross weight of the bale an allowance equal to the number of pounds shown by the program bale tag to be necessary "to adjust to normal gross weight" under such program. No allowances other than those provided for in this subsection will be made.

(b) The base loan rate for upland cotton applicable at each approved warehouse will be shown in the Schedule of Base Loan Rates for Warehouse-Stored Upland Cotton.[1] The base loan rate under the farm-stored program for upland cotton for each county will be shown in the Schedule of Base Loan Rates by Counties for Farm-Stored Upland Cotton.[1] These schedules will be available at county offices. The premium or discount applicable to each eligible grade and staple length of upland cotton is shown in § 427.732. Loan rates for extra long staple cotton are also shown in § 427.732. After a loan is made, CCC will not be obligated to make adjustments in the amount of the loan as a result of any subsequent redetermination of the weight or quality of the cotton.

§ 427.710 *Preparation of documents.* All applicable blanks on the loan forms must be filled in with ink, indelible pencil, or typewriter in the manner indicated therein, and documents containing additions, alterations, or erasures may be rejected by CCC. (Forms A having a date prior to June 3, 1955, shall not be used.) Both copies should be clearly legible. The spaces provided on Forms A and E for the producer to request and direct payment of the proceeds must be completed in every instance. All disbursements made from the proceeds of a note, including clerk's fee when deducted, must be shown and the total must agree with the amount of the note. In the case of warehouse-stored cotton, care should be exercised by the lending agency to determine that the warehouse receipts are genuine. No deduction may be made from the loan proceeds by the lending agency as a charge for handling the loan documents, except the authorized clerk's fee in case an employee of the lending agency has executed the Clerk's Certificate on Form A. Before the clerk prepares loan documents for a producer, he must determine that the producer is eligible for a loan. The county committee, in preparation of the producer's marketing card, will indicate on the reverse side of the card the producer's eligibility. If the box following the word "Eligible" contains an "X" the clerk will use this as evidence that the producer is eligible for a loan and shall assist the producer in the preparation of his loan documents. If the box following the words "Ineligible Unless Loan Agreement Approved by County Committee" contains an "X" the clerk shall inform the producer that in order for him to obtain a loan he must have his loan documents prepared in the county office. If the box following the word "Ineligible" contains an "X", the producer cannot obtain a loan on such kind of cotton produced on that farm under any condition and should be so informed by the clerk. In the event that the marketing card indicates that the producer is eligible but shows evidence of any alteration or erasure, the clerk should not prepare loan documents and should inform the producer that the documents will have to be prepared in the county office. Lending agencies which are also eligible producers must obtain direct loans on cotton produced by them from the New Orleans office or obtain loans from another approved lending agency.

(a) *Warehouse-stored cotton.* A producer desiring to obtain a loan on warehouse-stored cotton may obtain the necessary forms from county offices, approved lending agencies, approved warehouses, and approved clerks (persons approved by the county committees to assist producers in preparing and executing the loan forms). The Clerk's Certificate on each Form A tendered for a loan must be executed by an approved clerk, who will assist the producer in the preparation and execution of the Form A. The original of Form A must be signed by the producer and the copy marked producer's copy is to be retained by the producer. Loan forms must not be signed in blank. All applicable entries must be completed prior to the time the form is signed by the producer or the loan clerk. All of the cotton pledged as security for any loan must be of the same grade and staple length and must be stored in the same warehouse. Before preparing his loan documents, the producer should give careful consideration to the manner in which he may wish to withdraw the cotton from the loan. Cotton of the same grade and staple length will ordinarily be placed on the same note. However, it may be placed on separate notes if the producer believes it will facilitate the redemption of the cotton from the loan or the sale of his equity in such cotton.

(b) *Farm-stored cotton.* A producer desiring to obtain a loan on farm-stored cotton should communicate with the county office in the county in which the cotton is to be stored. It will be the responsibility of the county committee

[1] Schedule to be issued about August 15, 1956.

to arrange for the inspection of the storage structure and to approve it if it determines that it is of such construction as to afford adequate storage for the cotton. The county office will furnish and prepare the necessary documents for a farm-stored loan.

§ 427.711 *Service charges and deposits.* No service charges will be collected in connection with warehouse loans. A service charge of $1.00 per bale with a minimum of $3.00 per loan will be collected by the county office from the producer to cover services rendered in connection with farm-stored loans. State committees are authorized to require prepayment of $3.00 of the service charge. No refund of service charges will be made. A deposit of $1.00 per bale will also be collected from the producer to guarantee delivery of farm-stored cotton if the loan is not repaid by the producer. Such deposit will be returned if the loan is repaid or the cotton is delivered in accordance with delivery instruction issued by the county office. If the producer does not deliver the cotton upon demand by CCC, the county office will arrange delivery and retain the deposit. If delivery costs exceed the deposit, the producer will be liable for the difference.

§ 427.712 *Fees.* The clerk or county office employee assisting the producer in the preparation of the loan documents may collect a fee from the producer not to exceed the fees shown in the following schedules:

Number of bales on note:	*Maximum fee allowed*
1	25 cents.
2–6	25 cents plus 15 cents for each bale over 1.
7–18	$1 plus 10 cents for each bale over 6.
19 and over	$2.20 plus 5 cents for each bale over 18.

§ 427.713 *Liens.* Eligible cotton must be free and clear of all liens except the warehouseman's lien for charges permitted under § 427.721 on warehouse-stored cotton. The signatures of the holders of all existing liens on cotton tendered as security for a loan, such as landlords, laborers, or mortgagees (but not the warehouseman, if the cotton is stored in a warehouse) must be obtained on the Lienholder's Waiver on each Form A and Form FF. If the producer tendering the cotton for loan is not the owner of the land on which the cotton was produced, all landowners and landlords must sign the Lienholder's Waiver whether or not they claim liens, unless they sign the note jointly with the producer. A fraudulent representation, as to prior liens or otherwise, will render the producer personally liable under the terms of the Loan Agreement and subject him to criminal prosecution under the provisions of the Commodity Credit Corporation Charter Act. The Lienholder's Waiver must be signed personally by all lienholders, by their agents (in which case duly executed Powers of Attorney (CCC Cotton Form 18) must be filed with the New Orleans office), or, if a corporation, by the designated officer thereof customarily authorized to execute such instruments (in which case no authority need be attached).

§ 427.714 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are past due or are payable or prepayable under the provisions of the note evidencing such loan, out of the proceeds of the price support loan, he must designate CCC or the lending agency holding such note as the payee of the proceeds of the loan to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of service charges, clerks' fees, and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. In any such case, the producer must go to the county office in the county in which he is listed on the debt register and have his loan documents completed by a clerk in the county office. A clerk in the county office will assist the producer in the preparation of such loan documents and will show in the space provided in the notes the agency to which the checks should be issued and the amount to be collected from the note. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 427.715 *Classification of cotton.* (a) All cotton tendered for loan must be classed by a Board of Cotton Examiners of the United States Department of Agriculture (hereinafter referred to as the "Board") and tendered on the basis of such classification. A Cotton Classification Memorandum Form 1 of the United States Department of Agriculture will be accepted, provided the sample is a representative sample drawn in accordance with instructions to organized cotton improvement groups for sampling cotton under the 1956 Smith-Doxey Program. If the producer's cotton has not been sampled for a Form 1 classification, the warehouseman (for warehouse-stored cotton), receiving agency (for cotton covered by bills of lading), or county office (for farm-stored cotton), shall sample such cotton and forward the samples to the Board serving the district in which the cotton is located. A Cotton Classification Memorandum Form A3 must be inserted in each such sample. A Tag List and Record Sheet (CCC Cotton Form L, referred to in this subpart as "Form L"), must be prepared by the warehouseman, receiving agency or county office, listing each sample included in a shipment to the Board. A copy of such Form L shall be included with the samples and two copies must be mailed separately to the Board. The Board will enter the classification of each bale on the Form L and return a copy of such form to the warehouse, receiving agency or county office. The Cotton Classification Memorandum Form A3 will be returned to the producer by the Board. If a sample has been drawn and submitted for a Form 1 or Form A3 classification, another sample may not be drawn and forwarded to a Board except for a review classification or a reclassification in lieu of review. If a Form 1 or Form A3 review classification or reclassification in lieu of review is obtained, the loan value of the cotton represented thereby will be based on such review classification or reclassification.

(b) A charge of 25 cents per bale shall be collected from the producer by the warehouseman, receiving agency, or county office for all cotton for which samples are submitted to a Board for a Form A3 classification. The Boards will submit billings for classing charges to the warehousemen, receiving agencies, and county offices at the end of each month. Checks or money orders covering these charges shall be made payable to "Commodity Credit Corporation" and shall be sent to the New Orleans office.

§ 427.716 *Interest rate.* Loans and charges on the cotton covered by the loans shall bear interest at the rate of 3½ percent per annum from the date of disbursement to the date of repayment, except that in the case of default in satisfaction of loans on farm-stored cotton, loans will bear interest at the rate of 6 percent per annum from the date of default to the date of repayment.

§ 427.717 *Maturity.* (a) loans mature July 31, 1957, or upon such earlier date as CCC may make demand for payment. If a producer does not repay his loan by maturity, CCC has the right to sell, purchase, or pool the cotton securing the loan in accordance with the provisions of the loan agreement. If the cotton is pooled, the producer will no longer have a right to redeem the cotton but will share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat any pooled cotton as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of cotton, even though part or all of such pooled cotton is disposed of under such policies at less than the current domestic price for such cotton.

(b) Any sum due the producer as a result of the sale or purchase of the cotton or collections of insurance proceeds therefrom, or his ratable share from a pool, shall be payable only to the producer or his personal representative without right of assignment to or substitution of any other person.

(c) If the producer does not repay his loan on farm-stored cotton on or before maturity, he is required to deliver the cotton in accordance with the provisions of Form FF, and if the cotton is not delivered by the producer, the holder of the note may enter on the premises where the cotton is stored and remove the cotton. Upon such delivery or removal, the

holder may dispose of the cotton in accordance with the provisions of this section.

§ 427.718 *Safeguarding farm-stored cotton.* The producer obtaining a loan on farm-stored cotton is obligated to maintain the farm-storage structure in good repair and to keep the cotton in good condition. The producer will be responsible for any loss or damage occurring through the fault or negligence of the producer or as a result of any cause other than fire, flood, lightning, explosion, windstorm, cyclone, or tornado, except that he will not be responsible for loss in weight of not to exceed an average of 10 pounds per bale which is due to natural shrinkage. The maximum amount of cotton stored in any structure shall be limited to 200 bales, unless the State committee determines that a larger maximum is required to make the program more effective in the State. The conversion or unlawful disposition by the producer of any bale of the cotton will render him personally liable for the payment of the mortgage indebtedness.

§ 427.719 *Warehouse receipts and insurance.* Only negotiable warehouse receipts isued by an approved warehouse, properly assigned by an endorsement in blank so as to vest title in the holder or issued to bearer will be acceptable. The warehouse receipts must show that the cotton is covered by fire insurance and must be dated on or prior to the date of the producer's notes. Each receipt must set out in its written or printed terms a description by tag number and weight of the bale represented thereby and all other facts and statements required to be stated in the written or printed terms of a warehouse receipt under the provisions of section 2 of the Uniform Warehouse Receipts Act. Warehouse receipts issued prior to August 1, 1956, which by their terms will expire prior to August 1, 1957, must bear an endorsement of the warehouseman extending the terms of the warehouse receipts for a period of one year from August 1, 1956. Block warehouse receipts will not be accepted except on cotton to be reconcentrated pursuant to § 427.723.

§ 427.720 *Insurance on farm-stored cotton.* CCC will not require the producer to insure cotton under farm-stored loan; however, if the producer does insure the cotton, and if an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest after first satisfying the producer's equity in the cotton involved in the loss.

§ 427.721 *Warehouse charges.* (a) The Agreement of Warehouseman on each Form A must be executed by the warehouseman storing the cotton covered by the Form A not more than 15 days preceding the date of the Producer's Note on the Form A and must not be executed subsequent to the date of the note. In the case of loans made to a cotton cooperative marketing association as provided in § 427.730, the Warehouseman's Certificate and Agreement on the Certificate of Association and Agreement of Warehouseman (CCC Cotton Form G–1, referred to in this subpart as "Form G–1") must be executed by the warehouseman storing the cotton covered by such form. By executing the Agreement of Warehouseman on the Form A or the Warehouseman's Certificate and Agreement on the Form G–1, the warehouseman agrees that such cotton will be stored and handled in accordance with the Warehouseman's Certificate and Agreement on the reverse side of the Form A or on the Form G–1 and makes the representations contained therein, and the warehouseman further agrees to store such cotton under conditions and at rates determined as follows:

(1) The cotton shall be insured against loss or damage by fire under a policy or policies providing coverage equivalent to that afforded under the standard fire policy of the State in which the cotton is stored for the full market value (if the cotton is compressed, its market value shall be the market value of flat cotton plus compression charges, or if the cotton is uncompressed and the warehouseman desires to collect his delivery charge for flat cotton in lieu of compression if it is destroyed by fire, such charge must be covered by insurance) at the time and place of loss and shall be kept so insured so long as the warehouse receipts therefor are outstanding, unless the cotton comes under a storage agreement between the warehouseman and CCC allowing the warehouseman to cancel his insurance on the cotton. Such insurance shall cover damage to the cotton by water from the warehouseman's sprinkler system when such damage results from fire in the same warehouse in which the cotton is stored. From the dates of the warehouse receipts representing the cotton or from the date through which the producer has paid storage charges, whichever is later, through July 31, 1957, all charges on the cotton for storage and insurance (as required in § 427.719) shall be at the rate of 43 cents per bale per month or fraction thereof for flat or compressed cotton stored in warehouses operating compress facilities or compressed cotton stored in warehouses not operating compress facilities, and at the rate of 48 cents per bale per month or fraction thereof for flat cotton stored in warehouses not operating compress facilities, or the warehouseman's established tariff on cotton other than CCC loan cotton, whichever is less. Such charges, accrued through July 31 of any year in which these rates are in effect, shall be paid by CCC, as soon as possible after such date, on all of the cotton represented by warehouse receipts held by CCC at the time of payment: *Provided,* That on any cotton for which CCC makes payment of accrued charges through July 31 of any year, payment for the fractional part of a month prior to such date shall be at the proportionate part of the monthly rate. The warehouseman may make a charge for outhandling, including picking out by tag numbers and loading according to custom into cars or trucks, of not to exceed 15 cents per bale if such charges are included in the warehouseman's tariff: *And provided further,* That no such outhandling charge may be made where collection for the service has been included in any other charge or otherwise collected. Charges for compression of cotton by the warehouseman, including compression charges on cotton compressed to standard density by the warehouseman at his gin, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed. Compression charges on cotton compressed to standard density for the warehouseman at a gin under contract with the warehouseman will be paid at the rate which the warehouseman pays the ginner. In no event shall compression charges on gin-compressed cotton exceed the rate paid to the ginner by his customers on all other cotton. Charges on gin-compressed cotton will be paid by CCC only when the charges have not been paid to the ginner or the warehouseman by the producer. All other charges on cotton, including flat delivery charges on cotton moved from a warehouse operating compress facilities without payment of compression charges, will be at the rates provided in the warehouseman's established tariff in effect at the time the service is ordered performed: *Provided,* That no charge may be made with respect to the cotton that is not applicable to cotton other than CCC loan cotton stored by the warehouseman, except that the warehouseman may make a charge of not to exceed 20 cents per bale for transmitting samples to the designated classing office, postage, verifying and guaranteeing the correctness of the information for which the warehouse is responsible in the Schedule of Pledged Cotton on the Form A or Form G–1, and executing the Agreement of Warehouseman on the Form A or the Warehouseman's Certificate and Agreement on the Form G–1, if such charges are included in the warehouseman's tariff: *And provided further,* That in no event shall such charge, a service charge or charges for receiving, tagging, weighing, sampling on arrival, or storage of samples, be collected from CCC or a purchaser of the cotton. No charge for compression or for delivery or outhandling, except for an outhandling charge of not to exceed 15 cents and charges for the compression to standard density at gins as provided in this section, will be paid with respect to cotton received by the warehouseman which has been compressed to standard density either by a gin (gin compress bale) or by another warehouseman. No charge of any kind whatsoever will be paid with respect to any of the cotton compressed to high density without the written authority of CCC. The warehouseman shall execute and submit to CCC with each voucher for amounts payable by CCC under this agreement the following certificate: "I hereby certify that I have removed from the cotton covered by this voucher only that amount of cotton necessary to secure representative samples, to properly trim the sample holes; or to otherwise maintain the cotton in the interest of good housekeeping and fire prevention incidental to the handling, storage or compressing said cotton except for reconditioning of dam-

aged cotton; that I have not reconditioned, picked or cleaned by blowing or brushing any of the cotton included in this voucher except as noted on report attached hereto; and that I have not purchased or otherwise obtained any Producers' Equity Transfers on cotton stored in my warehouse which have not been presented to Commodity Credit Corporation within 15 days from the dates such transfers were executed by the producers." The warehouseman shall store the cotton so that the tags will be visible and readily accessible so as to permit an accurate check of stocks at any time. In the event that the cotton is purchased or pooled by CCC or the loan on such cotton is extended or carried in past-due status by CCC after July 31, 1957, the rates quoted herein will remain in effect until terminated by CCC or the warehouseman at the end of any month by giving the other at least 30 days' notice, or until the cotton comes under another storage agreement between the warehouseman and CCC, whichever is earlier. If the cotton is redeemed from the loan or the cotton is sold by CCC, the charges provided in this section shall be applicable for services rendered up to and including the date of such redemption or sale, and the warehouseman shall not charge the holders of the warehouse receipts representing such cotton for such services an amount in excess of that computed in accordance with this agreement. The terms and provisions of this section shall prevail over the written or printed terms of the warehouse receipts representing the cotton covered by the Form A.

(2) By executing the Agreement of Warehouseman on Forms A dated 6-3-55, the warehouseman certifies, in addition to the certifications contained in the Agreement of Warehouseman, that the heads of each bale of the cotton are completely covered with bagging.

§ 427.722 *Loans on order bills of lading.* (a) Loans on cotton represented by order bills of lading will be available only in areas specified by the New Orleans office where there is a shortage of storage space and where the necessary arrangements for handling the cotton may be made.

(b) Cotton represented by order bills of lading will be eligible for a loan only when it is shipped by an approved receiving agency as agent for the producer. Warehousmen, ginners, and other responsible parties in areas where such loans are available may be approved to act as receiving agencies by the New Orleans office. Receiving agencies will enter into Receiving Agency Agreements with CCC. When receiving agencies are approved, notifications will be given by letter or published lists.

(c) A producer who is unable to find storage space in his local area and who wishes to obtain such a loan should deliver his cotton to a receiving agency with the request that it ship the cotton as agent for the producer to a warehouse where storage space is available. The receiving agency will complete the Schedule of Pledged Cotton on a Form A and, if it is a warehouseman, will execute the Agreement of Warehouseman thereon. If the receiving agency is not a warehouseman, it will have the cotton weighed by a public or licensed weigher and will secure a Weight and Condition Certificate in the form prescribed by CCC and execute the Receiving Agent's Certificate. The receiving agency will ship the cotton, secure order bills of lading in a form acceptable to CCC, and deliver to the producer the bills of lading, together with the Form A and Weight and Condition Certificates (if any). If the receiving agency is a warehouseman, it will be permitted to collect fees in accordance with § 427.721 and a fee of not to exceed 10 cents per bale to cover the costs of preparation of shipping documents. If the receiving agency is not a warehouseman, it will, for the purpose of payment of gin compression only be considered as a warehouseman and will be permitted to collect from CCC charges for gin compression as provided in § 427.721 and will be permitted to collect from producers a fee not in excess of the fee set forth in the Receiving Agency Agreement executed by the receiving agency, and shall post, in a conspicuous place, a notice showing the fee to be charged producers. Loans will be made at the full loan rate at the point where the receiving agency receives the cotton. CCC will pay warehouse storage charges on cotton tendered by the producer for a loan under this section, if the receiving agency is a warehouseman.

§ 427.723 *Loans on cotton to be reconcentrated.* Loans on cotton to be reconcentrated will be available only on cotton stored at warehouses approved by the New Orleans office in areas where there is congestion and lack of storage space. The warehousemen will enter into Reconcentration Agreements (CCC Cotton Form 29, referred to in this subpart as "Reconcentration Agreements") with CCC. Warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement must be in a form acceptable to CCC and must provide for delivery of the cotton to the order of CCC. Block warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement will be accepted. A producer who desires to obtain a loan in this manner should request the warehouseman to issue a warehouse receipt to him in the form specified above and must furnish written authorization to the warehouseman for the reconcentration of his cotton after which the warehouseman will ship the cotton. The Forms A and warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement must show the reconcentration order number under which the cotton will be shipped. The producer will obtain a loan on these documents in the usual manner, and after receipt of the loan documents, CCC will surrender the warehouse receipts to the warehouseman.

§ 427.724 *Advance loans.* (a) If a producer desires to obtain a loan under this part on cotton stored or to be stored in a warehouse, prior to the receipt of the classification of such cotton by a Board of Cotton Examiners or prior to the issuance of a warehouse receipt representing the cotton, and if the producer desires to obtain interim financing from a lending agency until such time as a CCC loan may be obtained, the lending agency may make the producer a private loan (called "the advance loan" in this subpart) on such cotton on forms and in amounts agreed upon between the lending agency and the producer and may obtain from the producer a duly executed Producer's Power of Attorney (CCC Cotton Form J, referred to in this subpart as "Form J") in triplicate authorizing and directing the lending agency to prepare or cause to be prepared and execute on behalf of and in the name of the producer Forms A covering all such cotton which is eligible for a loan under this part. The duplicate copy shall be delivered to the producer. On or before the date the advance loan is made, samples must have been drawn from the cotton and submitted to a Board of Cotton Examiners for classification or, if the cotton has not arrived at the warehouse, the warehouseman must have been instructed to sample the cotton and forward the samples for classification upon receipt of the cotton at the warehouse. On or before September 1, 1956, or within 15 days after the dates of the classification certificates, or within 15 days after the dates of the warehouse receipts, whichever is later, the lending agency shall (as provided in the Producer's Power of Attorney), unless the cotton is redeemed by the producer, prepare or cause to be prepared and execute on behalf of the producer Forms A covering all such cotton which is eligible for a loan and make a CCC loan or loans to the producer under this part. The lending agency shall promptly remit to the producer any difference between the amount due on the advance loan and the proceeds of the CCC loan, less any applicable charges under this part paid by the lending agency on behalf of the producer. The producer's copies of Forms A and the canceled note evidencing the advance loan shall be forwarded to the producer. The original of the Producer's Power of Attorney shall be transmitted with the notes when they are tendered to CCC.

(b) It shall be the joint responsibility of the lending agency named in the Form J to obtain the official classification from the producer or the warehouseman and of the producer to deliver the official classification to such lending agency, within 15 days from the date of the classification certificate so that the Form A loans can be made within the specified time.

(c) It shall be the responsibility of the lending agency named in the Form J to obtain the execution of the Agreement of Warehouseman and the Clerk's Certificate on the Form A. Only bona fide employees of lending agencies making the advance loans who are approved as clerks by the county committee or approved clerks in the county office, will be permitted to execute the Clerk's Certificate on Forms A covering cotton on which advance loans have been made.

§ 427.725. *Loans on upland cotton prior to August 1, 1956.* Loans on upland cotton will be made available to producers in the area where such cotton is

harvested prior to August 1, 1956. Base loan rates for warehouse locations in the early harvesting area will be announced by the New Orleans office prior to harvest. The premium or discount applicable to each eligible grade and staple length is shown in § 427.732. Other provisions for loans prior to August 1, 1956, will be the same as provided for loans after that date, except that in the event that the base loan rate based on the August 1, 1956, parity price for upland cotton is in excess of the base loan rate announced prior to such date, the difference will be paid to the producer upon his application to the New Orleans office.

§ 427.726 *Tender of notes by lending agencies.* Notes (Forms A and Forms E) evidencing loans made by a lending agency which has entered into a Lending Agency Agreement-Cotton (CCC Cotton Form D) prior to the making of the loans will be eligible for purchase or pooling by CCC. Under this agreement, lending agencies which are parties thereto are required to tender to CCC, on Lending Agency's Letter of Transmittal (CCC Cotton Form C, referred to in this subpart as "Form C"), all notes on Form A and Form E, with warehouse receipts, bills of lading (and weight and condition certificates, if required), or cotton chattal mortgages attached, representing loans made by the lending agency within 15 days after the date of disbursement of the loans. All notes transmitted on a Form C must cover cotton stored in warehouses in the same custodial district. Separate Forms C shall be used for upland and extra long staple cotton. Notes secured by warehouse receipts, by bills of lading, or by chattel mortgages, and notes executed by attorneys-in-fact, must be transmitted on separate Forms C. Each Form C shall state whether the lending agency desires CCC to purchase the notes or to place them in a pool. Upon receipt of the loan papers by the New Orleans office, they will be examined and, if found correct, will be approved and transmitted to the custodial office serving the district in which the cotton is stored, and will be purchased or placed in a pool as directed by the lending agency. Lending agencies which have previously been approved by CCC as eligible to draw drafts on CCC may, subject to such instructions and requirements as CCC may hereafter from time to time prescribe, obtain immediate payment for notes they desire to sell to CCC, by drawing sight drafts with enclosed letters of transmittal on CCC through a Federal Reserve Bank or Branch Bank approved by CCC. Notes covered by such drafts must be immediately submitted to the New Orleans office. In the event that the notes are pooled, a Certificate of Interest representing the interest in the pool acquired as the result of the deposit therein of the notes shown on the Form C will be issued to any approved lending agency designated on the Form C.

§ 427.727 *Loss or damage to pledged cotton.* In any case where there is loss or damage to cotton which occurs while such cotton is pledged to CCC or a lending agency, CCC shall have the right to determine and file claims against any liable third parties for the resulting loss. Upon determination of the quantity of the lost or damaged cotton, CCC will give credit for the loan value (including charges and interest) of such cotton. If the proceeds of the claim exceed the loan value of such cotton, the excess proceeds shall be remitted to the producer or, if the loan has been repaid, to the party repaying the loan.

§ 427.728 *Transfer of producer's interest.* If the producer desires to sell his equity in the cotton covered by a note, he must complete the Producer's Equity Transfer Agreement in the Producer's Equity Transfer on the reverse side of the Producer's Loan Statement–A, which will be mailed to the producer by the New Orleans office at the time the notes are processed by that office. The producer must sign the Producer's Equity Transfer Agreement in the presence of a witness approved for such purpose by a county committee and the Certificate of Witness in the Producer's Equity Transfer must be dated and signed by the witness. (Notwithstanding the wording of the Certificate of Witness in the Producer's Equity Transfer, a notary public can witness the producer's signature on the Producer's Equity Transfer only when the notary public has been approved as a witness for such purpose by a county committee.) A producer who desires to appoint an attorney-in-fact to act in his place and stead in selling his equity in the cotton shall use Power of Attorney (CCC Cotton Form 19) and file it with the applicable custodial office. The equity purchaser must complete the Certificate of Purchaser in the Producer's Equity Transfer and send it within 15 days to CCC, in care of the custodial office serving the district in which the cotton was stored at the time the loan was obtained. Upon receipt of the Producer's Equity Transfer, the custodial office will forward the note and warehouse receipts to a bank designated by the person requesting their release with directions to the bank to release the note and warehouse receipts to the holder of the equity transfer upon payment of the amount due on the loan. In all such cases, the bank will be instructed to return the note and warehouse receipts to the custodial office if payment is not effected within 5 business days. All charges assessed by the bank to which the note and warehouse receipts are sent must be paid by the person requesting the release of the cotton. No partial release of the cotton securing one note will be permitted, except that CCC may allow partial releases in cases where loss or damage to part of the cotton occurs. In the event the Producer's Loan Statement–A is destroyed or lost, the producer may obtain a duplicate of such form from the custodial office serving the district in which the cotton is stored.

§ 427.729 *Repayments*—(a) *Warehouse-stored cotton.* No partial release of the cotton represented by warehouse receipts and securing a note will be permitted, except that CCC may allow partial releases in cases where loss or damage to part of the cotton occurs. If a producer desires to obtain the return of his note and the release of the cotton securing the note, he must execute the Producer's Redemption Request on the Producer's Loan Statement—A which will be mailed to the producer by the New Orleans office at the time the notes are processed by that office. The producer must send or deliver the Producer's Loan Statement—A to CCC, in care of the custodial office serving the district in which the cotton was stored when the loan was obtained, as shown in § 427.731. Upon receipt of the Producer's Redemption Request, the custodial office will forward the note and warehouse receipts to a bank designated by the producer with directions to the bank to release such note and warehouse receipts only to the producer or his authorized agent upon payment of the amount due on the loan. The bank will be instructed to return the note and warehouse receipts to the custodial office if payment is not effected within 15 days. All charges assessed by the bank must be paid by the producer. A producer who desires to appoint an Attorney-in-Fact to act in his place and stead in repaying loans shall use Power of Attorney (CCC Cotton Form 19) and file it with the applicable custodial office.

(b) *Farm-stored cotton.* If the producer desires to repay his loan and obtain the release of the cotton securing the note, he may obtain complete instruction from the county office of the county in which the cotton is stored. Partial releases will be allowed.

§ 427.730 *Cotton cooperative marketing association loans.* A special form of loan agreement will be made available to cotton cooperative marketing associations whereby members of such associations may act collectively in obtaining loans. The loan rates under this agreement will be the same as the loan rates to individual producers, and eligibility requirements with respect to the cotton and the producers tendering the cotton to the association and other loan provisions will be substantially the same as for loans to individual producers. Members desiring to obtain loans from their associations should contact their associations.

§ 427.731 *Custodial offices.* The custodial offices referred to in this subpart and the district served by each are shown below:

(a) *Warehouse-stored cotton.*

Custodial Office and District Served
Federal Reserve Bank, Atlanta, Ga.: Georgia, Alabama, Florida, Virginia, North Carolina, South Carolina.
Federal Reserve Bank, Dallas, Tex.: New Mexico, Texas.
Federal Reserve Bank, Los Angeles, Calif.: California, Arizona, Nevada.
Federal Reserve Bank, Memphis, Tenn.: Illinois, Kentucky, Arkansas, Missouri, Tennessee, and the following counties in Mississippi: Alcorn, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Clay, Coahoma, De Soto, Grenada, Holmes, Humphreys, Itawamba, Lafayette, Lee, Leflore,

Lowndes, Marshall, Monroe, Montgomery, Noxubee, Oktibbeha, Panola, Pontotoc, Prentiss, Quitman, Sunflower, Tallahatchie, Tate, Tippah, Tishomingo, Tunica, Union, Washington, Webster, Winston, Yalobusha.

New Orleans CSS Commodity Office: Louisiana and counties in Mississippi not assigned to Memphis.

Federal Reserve Bank, Oklahoma City, Okla.: Oklahoma, Kansas.

(b) *Farm-stored cotton.*

CUSTODIAL OFFICE AND DISTRICT SERVED

New Orleans CSS Commodity Office: All States.

§ 427.732 Schedule of premiums and discounts for upland cotton (basis 1-inch Middling), and loan rates for extra long staple cotton—(a) Premiums and discounts for eligible qualities of 1956-crop American upland cotton (basis 1-inch Middling).

Grade	Staple length (inches)													
	13/16	7/8	29/32	15/16	31/32	1	1 1/32	1 1/16	1 3/32	1 1/8	1 5/32	1 3/16	1 7/32	1 1/4 and longer
WHITE														
	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points
Good Middling	−395	−295	−215	−65	−10	80	160	220	275	370	460	635	775	980
Strict Middling	−405	−310	−230	−80	−25	65	145	205	255	345	440	610	755	960
Middling	−435	−340	−255	−115	−70	Base	70	125	180	260	350	510	655	845
Strict Low Middling	−615	−525	−445	−330	−285	−220	−170	−135	−90	−50	−5	70	170	240
Low Middling	−765	−705	−635	−565	−525	−480	−445	−420	−325	−380	−360	−360	−360	−360
Strict Good Ordinary	−960	−890	−830	−755	−710	−670	−645	−635	−635	−635	−635	−635	−635	−635
Good Ordinary	−1,115	−1,055	−1,000	−925	−880	−840	−825	−815	−810	−810	−810	−805	−805	−805
SPOTTED														
Good Middling	−605	−515	−430	−330	−280	−225	−170	−140	−100	−70	−40	−20	5	40
Strict Middling	−625	−535	−455	−350	−300	−245	−195	−160	−125	−105	−75	−50	−25	5
Middling	−800	−715	−640	−555	−495	−440	−395	−375	−340	−325	−310	−295	−265	−245
Strict Low Middling	−950	−890	−820	−760	−700	−650	−625	−615	−615	−615	−615	−615	−615	−615
Low Middling	−1,130	−1,080	−1,025	−950	−910	−870	−845	−840	−835	−835	−835	−835	−835	−835
TINGED														
Good Middling	−915	−850	−790	−695	−655	−610	−575	−565	−550	−535	−510	−495	−475	−455
Strict Middling	−940	−875	−815	−715	−675	−635	−595	−590	−570	−560	−535	−520	−505	−480
Middling	−1,090	−1,030	−960	−880	−845	−795	−765	−760	−755	−755	−755	−755	−755	−755
Strict Low Middling	−1,255	−1,190	−1,135	−1,060	−1,025	−990	−970	−965	−965	−965	−965	−965	−965	−965
Low Middling	−1,470	−1,405	−1,350	−1,255	−1,220	−1,185	−1,165	−1,160	−1,160	−1,160	−1,160	−1,160	−1,160	−1,160
YELLOW STAINED														
Good Middling	−1,175	−1,115	−1,060	−995	−955	−915	−905	−900	−900	−900	−900	−900	−900	−900
Strict Middling	−1,195	−1,140	−1,085	−1,025	−985	−950	−935	−935	−930	−930	−930	−930	−930	−930
Middling	−1,380	−1,320	−1,265	−1,175	−1,145	−1,110	−1,100	−1,095	−1,095	−1,095	−1,095	−1,095	−1,095	−1,095
GRAY														
Good Middling	−550	−475	−405	−305	−255	−210	−165	−140	−110	−80	−45	5	40	95
Strict Middling	−585	−505	−435	−340	−290	−245	−200	−175	−145	−120	−95	−60	−35	Even
Middling	−765	−695	−625	−540	−485	−430	−390	−365	−340	−310	−285	−265	−245	−225
Strict Low Middling	−975	−905	−845	−765	−705	−640	−590	−570	−570	−570	−570	−570	−570	−570

(b) *Schedule of minimum loan rates (in cents per pound net weight) for eligible qualities of 1956-crop extra long staple cotton.*[1]

(1) American-Egyptian cotton.

Grade	Staple length (inches)					
	1 3/8		1 7/16		1 1/2 and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	56.00	56.40	59.05	59.45	60.40	60.80
2	55.00	55.40	58.15	58.55	59.65	59.95
3	53.45	53.85	56.50	56.90	58.40	58.80
4	49.45	49.85	52.90	53.30	54.85	55.25
5	43.95	44.35	47.35	47.75	49.15	49.55
6	38.10	38.50	41.10	41.50	43.45	43.85
7	34.30	34.70	37.00	37.40	39.35	39.75
8	30.25	30.65	32.90	33.30	34.95	35.35
9	26.25	26.65	28.85	29.25	30.90	31.30

(2) Sea Island and Sealand cotton.

Grade	(Staple length (inches))		
	1 3/8	1 7/16	1 1/2 and longer
1	53.20	56.05	57.35
1 1/2	52.25	55.20	56.55
2	50.80	53.65	55.45
2 1/2	46.95	50.25	52.10
3	41.75	45.00	46.70
3 1/2	36.25	39.10	41.30
4	32.65	35.20	37.45
4 1/2	28.85	31.30	33.25
5	25.00	27.50	29.45

[1] The loan rates shown in these schedules are based on rates announced pursuant to section 406 of the Agricultural Act of 1949. If higher loan rates are required based on the parity price of extra long staple cotton as of the beginning of the marketing year, new schedules will be issued.

Issued this 1st day of June 1956.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President, Commodity Credit Corporation.

[F. R. Doc. 56-4426; Filed, June 5, 1956; 8:52 a. m.]

PART 464—TOBACCO

SUBPART—1956 TOBACCO LOAN PROGRAM

Statement with respect to the tobacco price support loan program for the 1956-57 marketing year—1956 crop—formulated by the Commodity Credit Corporation and Commodity Stabilization Service (hereinafter referred to, respectively, as "CCC" and "CSS").

Sec.
464.801 Administration.
464.802 Level of loans.
464.803 Availability of price support.
464.804 Deduction from loans.
464.805 Interest rate and general provisions.
464.806 Adjustment of interest and disposition of overplus.
464.807 Maturity date.
464.808 Eligible producer.
464.809 Eligible tobacco.

AUTHORITY: §§ 464.801 to 464.809 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, as amended, 1054, sec. 2, 69 Stat. 506; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421, 1312 note.

§ 464.801 *Administration.* (a) This program will be administered by the Tobacco Division, CSS, under the general direction and supervision of the Executive Vice President, CCC. The program will be carried out in the field by producer associations or other responsible organizations (hereinafter referred to as "associations") under contract with CCC, acting for groups of producers. The names of such associations may be obtained from the Tobacco Division, CSS, United States Department of Agriculture, Washington 25, D. C.

(b) CCC will make loans to associations which in turn will make advances to eligible producers either directly or through auction warehouses. Loans made to associations will include not only the initial loan value of the tobacco, but also advances for services performed in receiving, packing, storing, and marketing of tobacco pledged for loan. Associations will be authorized to enter into

contracts for these services through the usual trade channels.

§ 464.802 *Level of loans.* (a) As required by statute, the level of price support to eligible producers will be 90 percent of the respective parity prices on those types of tobacco for which marketing quotas are in effect, except that fire-cured and dark air-cured (including Virginia sun-cured) tobacco will be supported at 75 percent and 66⅔ percent, respectively, of the level for Burley tobacco. There is shown below the percentage of the parity price and the cents-per-pound loan level for each type or kind of tobacco (except Puerto Rican) based on the parity price as of March 31, 1956, which were announced on April 18, 1956, as the minimum loan levels for the 1956 crop. The cents-per-pound loan levels will be computed again as of the beginning of the marketing year, which is July 1, 1956, for flue-cured, and October 1, 1956, for the other kinds of tobacco. Price support will be made available to eligible producers on the 1956 crop of each type or kind of tobacco at the higher of (1) the cents-per-pound level shown below, or (2) the level computed as of the beginning of the marketing year. Schedules of loan rates by grades for each type or kind of tobacco will be announced as supplements to this statement after the parity price as of the beginning of the marketing year is known.

(b) The loan level for Puerto Rican tobacco, type 46, will be determined as of October 1, 1956, the beginning of the marketing year. Price support will not be available on Pennsylvania Seedleaf tobacco, type 41, because marketing quotas have been disapproved by producers.

	1956 percent of parity level	1956 minimum loan level
Flue-cured, types 11–14	90	48.2
Burley, type 31	90	47.2
Fire-cured, types 21–23	75 percent of burley rate.	35.4
Dark air-cured, types 35–36	66⅔ percent of burley rate.	31.5
Virginia sun-cured, type 37	66⅔ percent of burley rate.	31.5
Maryland, type 32	90	46.2
Puerto Rican, type 46	(1)	(1)
Cigar filler and binder	90	(36.8)
Ohio filler, types 42–44		23.0
Connecticut Broadleaf, type 51.		51.6
Connecticut Havana Seed, type 52.		48.3
New York and Pennsylvania Havana Seed, type 53.		23.3
Southern Wisconsin, type 54.		22.6
Northern Wisconsin, type 55.		29.0

[1] The percent of parity and the cents-per-pound loan level for the 1956 crop of Puerto Rican tobacco, type 46, will be announced based on the supply and the parity price as of October 1, 1956.

§ 464.803 *Availability of price support.* Price support to eligible producers will be made available in the following manner:

(a) *Auction market area.* The producer will deliver the tobacco to an auction warehouse in the usual manner. The producer generally will receive the advances from the warehouseman for any tobacco placed under loan by the association at the time the warehouseman settles with the producer for the entire quantity of the producer's tobacco that has been displayed for inspection and offered for sale on any one day's auction market. The warehouseman, in turn, will be reimbursed by the association with funds borrowed from CCC.

(b) *Non-auction market area.* Producers in non-auction market areas will deliver tobacco to central receiving points designated by the appropriate association. The producer will receive the advance directly from the association for any tobacco pledged for loans after the tobacco has been graded by U. S. D. A. inspectors.

(c) *Period of loans.* No advances will be made to producers on tobacco tendered for loan prior to or after the dates set forth below:

	Earliest date	Latest date
Flue cured	July 1, 1956	Feb. 28, 1957
Burley	Nov. 1, 1956	Apr. 30, 1957
Fire-cured	do	Do.
Dark air-cured	do	Do.
Virginia sun-cured	do	Do.
Maryland	Apr. 1, 1957	Nov. 15, 1957
Puerto Rican	Feb. 1, 1957	Sept. 30, 1957
Cigar filler and binder	Sept. 1, 1956	July 31, 1957

§ 464.804 *Deduction from loans.* The associations will be required to bear a portion of the overhead costs in connection with the loan operation. For this purpose, the associations in the auction marketing areas will be authorized to charge the producer a fee of 12 cents per hundred pounds and such other deductions as may be authorized or approved by CCC. Such charges may be collected by a deduction from the advance made to the producer on his tobacco or by arrangements with the auction warehouseman under which he will collect such charges and remit to the association. In the nonauction market areas, the fee will be established at a rate commensurate with the relative cost of the services performed by the association.

§ 464.805 *Interest rate and general provisions.* The loans made to the associations will bear interest at the rate of 3½ percent per annum and be nonrecourse both as to principal and interest except in the case of misrepresentation, fraud, or failure to carry out the terms of the loan contract. Tobacco loses its identity as to original ownership through commingling in the packing process, and individual producers may not redeem their tobacco once it has been pledged for loan. All proceeds of sales of the loan collateral will be applied to the loan account until the loan is repaid in full.

§ 464.806 *Adjustment of interest and disposition of overplus.* The contractual arrangement between CCC and any association may include provisions under which CCC will adjust the interest rate as outlined in paragraph (c) of this section and the association will apply, as directed by CCC, one-half of the "overplus" from any crop year loan to the indebtedness on other crop year loans. This arrangement will be available only to those associations which include under the arrangement all CCC loans outstanding at the time the 1956 crop loan is included.

(a) *Definition of overplus.* "Overplus" is the balance remaining from the sales proceeds of the loan tobacco, after deducting the amount of the loan plus all handling charges, operating costs, and interest.

(b) *Disposition of overplus.* For those associations which agree to apply one-half of the overplus to other crop year loans, the remaining one-half of the overplus shall constitute "net gains," and for those associations which do not agree to apply one-half of the overplus to other crop year loans, the entire overplus shall constitute "net gains," which shall be distributed by the association to the producers who placed the tobacco under loan unless other disposition is approved by CCC.

(c) *Adjustment of interest rate.* In consideration of any association's agreement to apply one-half of the 1956 crop overplus to the CCC loan indebtedness of other crop years, the 1956 crop interest rate shall be adjusted annually, beginning as of July 1, 1957, for flue-cured loans and as of October 1, 1957, for loans on other kinds of tobacco, to the rate established by CCC as applicable to price support loans on the current crops, minus one percent per annum: *Provided,* That if such adjusted interest rate is determined by CCC to be less than the average rate of interest applicable to CCC's borrowings from the Treasury, the amount of interest accrued at such adjusted interest rate shall be increased at the end of the marketing year to the amount which would have accrued at the average interest rate applicable to CCC's borrowings from the Treasury.

§ 464.807 *Maturity date.* Loans made under the program will mature on demand.

§ 464.808 *Eligible producer.* (a) An eligible producer is one for whom a "Within Quota" Marketing Card has been issued under the applicable regulations issued by the Secretary of Agriculture with respect to tobacco marketing quotas for the 1956–57 marketing year. (In general, the regulations in this subpart provide for the issuance of a "Within Quota" Marketing Card where the tobacco acreage harvested for each kind of tobacco produced on the farm is not in excess of the applicable acreage allotment established under the marketing quota program for such farm, except that a "Within Quota" Marketing Card is not issued where the planted acreage of any kind of tobacco exceeds the farm acreage allotment established therefor unless a request for disposition of the excess acreage is filed promptly.)

(b) As Puerto Rican tobacco is not under U. S. marketing quotas, all producers of this type of tobacco are considered eligible producers for the purpose of this program.

§ 464.809 *Eligible tobacco.* Eligible tobacco shall be U. S. and Puerto Rican tobacco (as defined in the Agricultural Adjustment Act of 1938, as amended) of the 1956 crop which (a) has been properly identified in accordance with applicable tobacco Marketing Quota

Regulations on a valid memorandum of sale issued from a "Within Quota" Marketing Card, where marketing quotas are in effect; (b) has been delivered to the association by the producer prior to sale to any other person; (c) is in sound and merchantable condition; (d) is of a type for which a loan level is provided in § 464.802; and (e) is free and clear of any and all liens and encumbrances.

Issued this 1st day of June 1956.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President, Commodity Credit Corporation.

[F. R. Doc. 56-4428; Filed, June 5, 1956; 8:53 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

REVISED ADMINISTRATIVE INSTRUCTIONS PRESCRIBING COMMUTED TRAVEL TIME ALLOWANCES

Pursuant to the authority conferred upon the Chief of the Plant Quarantine Branch by § 354.1 of the regulations concerning overtime services relating to imports and exports, effective July 15, 1955 (7 CFR Supp 354.1; 20 F. R. 5054), administrative instructions (7 CFR 1954 Supp. 354.2) effective March 14, 1953, as amended effective August 2, 1955 (7 CFR Supp 354.2; 20 F. R. 5482), prescribing the commuted travel time that shall be included in each period of overtime duty are hereby revised to read as follows:

§ 354.2 *Administrative instructions prescribing commuted travel time.* Each period of overtime duty, as prescribed in § 354.1 shall, in addition, include a commuted travel time period for the respective ports, stations, and areas in which employees are located, if such travel is performed solely on account of overtime or holiday service, as follows:

ONE HOUR

Aguadilla, P. R. (served from Ramey Air Force Base).
Baton Rouge, La.
Blaine, Wash.
Brownsville, Tex.
Buffalo, N. Y.
Calexico, Calif.
Charlotte Amalie, American Virgin Islands.
Christiansted, American Virgin Islands.
Del Rio, Tex.
Douglas, Ariz.
Eagle Pass, Tex.
El Paso, Tex.
Frederiksted, American Virgin Islands (served from Christiansted).
Galveston, Tex.
Hidalgo, Tex.
Hilo, T. H.
Kahalui, Maui, T. H.
Key West, Fla.
Laredo, Tex.
Los Angeles Harbor, San Pedro, Calif.
Memphis, Tenn.
Nogales, Ariz.
Omaha, Nebr.
Pensacola, Fla.
Port Arthur, Tex.
Port Everglades, Fla.
Presidio, Tex.
Progreso, Tex.
Ramey Air Force Base, P. R.
Roma, Tex.
St. Albans, Vt.
St. Paul, Minn.
San Antonio, Tex.
San Juan, P. R.
San Ysidro, Calif.
Texas City, Tex. (served from Galveston, Tex.).
West Palm Beach, Fla.

TWO HOURS

Arlington, Va.
Atlanta, Ga.
Beaumont, Tex. (served from Port Arthur).
Bellingham, Wash. (served from Blaine, Wash.).
Charleston, S. C.
Corpus Christi, Tex.
Dallas, Tex.
Harlingen Air Force Base, Tex. (served from Brownsville, Tex.).
Honolulu, T. H.
Houston, Tex.
Jacksonville, Fla.
La Feria, Tex. (served from Hidalgo, Tex.).
Lantana Airport, Lantana, Fla. (served from West Palm Beach, Fla.).
Lihue, Kauai, T. H.
Long Beach Harbor and Airport (served from San Pedro, Calif.).
Miami, Fla.
Mobile, Ala.
Moore Air Field (served from Hidalgo, Tex.).
Niagara Falls, N. Y. (served from Buffalo, N. Y.).
Norfolk-Newport News, Va.
Offutt Air Base (served from Omaha, Nebr.).
Orange, Tex. (served from Port Arthur, Tex.).
Port Isabel, Tex. (served from Brownsville, Tex.).
Portland, Oreg.
St. Helens, Oreg.
St. Louis, Mo.
San Francisco, Calif.
Savannah, Ga.
Seattle, Wash., and Sea-Tac Airport.
Sumas, Wash. (served from Blaine, Wash.).
Tampa, Fla.
Vancouver, Wash.

THREE HOURS

Anacortes, Wash. (served from Blaine, Wash.).
Astoria, Oreg. (served from Portland, Oreg.).
Baltimore, Md.
Baytown, Tex. (served from Houston, Tex.).
Beaufort, S. C. (served from Charleston, S. C.).
Boston, Mass.
Brunswick, Ga. (served from Savannah, Ga.).
Carswell Field (Fort Worth), Tex. (served from Dallas, Tex.).
Cherry Point, S. C. (served from Charleston, S. C.).
Chicago, Ill.
Coos Bay, Oreg. (served from Portland, Oreg.).
Detroit, Mich.
Everett, Wash. (served from Seattle, Wash.).
Freeport, Tex. (served from Houston, Tex.).
Friday Harbor, Wash. (served from Seattle, Wash.).
Georgetown, S. C. (served from Charleston, S. C.).
Glynnce Naval Air Station, Ga. (served from Savannah, Ga.).
Grays Harbor, Wash. (served from Seattle, Wash.).
Gulfport, Miss. (served from Mobile, Ala.).
Hopewell, Va. (served from Norfolk-Newport News, Va.).
Lake Charles, La. (served from Port Arthur, Tex.).
Longview, Wash. (served from Portland, Oreg.).
Marfa Air Force Base (served from Presidio, Tex.).
Mayaguez, P. R. (served from Ramey Air Force Base).
McChord Air Force Base, Wash. (served from Seattle, Wash.),
New Orleans, La.
New York, N. Y. (metropolitan area).
Olympia, Wash. (served from Seattle, Wash.).
Panama City, Fla. (served from Pensacola, Fla.).
Patuxent, Md. (served from Arlington, Va.).
Philadelphia, Pa.
Pittsburgh, Pa.
Port Angeles, Wash. (served from Seattle, Wash.).
Port Lavaca, Tex.
Port Townsend, Wash. (served from Seattle, Wash.).
Rainier, Oreg. (served from Portland, Oreg.).
Richmond, Va. (served from Norfolk-Newport News, Va.).
Roosevelt Roads, P. R. (served from San Juan, P. R.).
St. Albans, Vt. (ports served from, but not including St. Albans).
Tacoma, Wash. (served from Seattle, Wash.).
Tucson, Ariz. (served from Nogales, Ariz.).
Walker Air Force Base (served from El Paso, Tex.).
Willapa Bay, Wash. (served from Seattle, Wash.).
Wilmington and other North Carolina ports served from Charleston, S. C.

The purposes of this revision are to delete certain ports and stations where employees are no longer stationed, to add several newly established ports and stations, and to readjust the commuted time allowances at certain other points.

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime duty when such travel is performed solely on account of such overtime duty. Such establishment depends upon facts within the knowledge of the Plant Quarantine Branch. It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than thirty days after publication in the FEDERAL REGISTER.

These revised administrative instructions shall be effective on and after June 6, 1956, on which date they shall supersede 7 CFR 1954 Supp. 354.2, effective March 14, 1953, as amended effective August 2, 1955 (20 F. R. 5482).

(64 Stat. 561, 5 U. S. C. 576)

Done at Washington, D. C., this 1st day of June 1956.

[SEAL] H. S. DEAN,
Acting Chief, Plant Quarantine Branch.

[F. R. Doc. 56-4425; Filed, June 5, 1956; 8:52 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 723—CIGAR-FILLER TOBACCO AND CIGAR-FILLER AND BINDER TOBACCO

PROCLAMATION OF THE RESULTS OF MARKETING QUOTA REFERENDUM

This document is issued to establish a procedure whereby the Secretary of Agri-

culture may be petitioned prior to November 10, 1956, or prior to November 10, 1957, to proclaim national marketing quotas for cigar-filler (type 41) tobacco for the next three succeeding marketing years pursuant to section 312 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. A. 1312). The amendment made by this document will redesignate the present § 723.705 as paragraph (a) of that section, and add a new paragraph (b) to that section.

Section 723.705 of Part 723, Title 7, Code of Federal Regulations, is amended to read as follows:

§ 723.705 *Proclamation of the results of the cigar-filler tobacco marketing quota referendum for the three-year period beginning October 1, 1956.* (a) In a referendum of farmers engaged in the production of the 1955 crop of cigar-filler tobacco held on December 29, 1955, 1,887 farmers voted. Of those voting, 213 or 11.3 percent, favored quotas for a period of three years beginning October 1, 1956; 1,674 or 88.7 percent were opposed to quotas. Since more than one-third of the farmers opposed quotas, the national marketing quota for cigar-filler tobacco for the marketing year beginning October 1, 1956, proclaimed on November 30, 1955 (20 F. R. 8844) becomes ineffective. Therefore, marketing quotas will not be in effect on cigar-filler tobacco for the marketing year beginning October 1, 1956, nor for the marketing years beginning October 1, 1957, and October 1, 1958, respectively, unless pursuant to section 312 (a) of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture is petitioned prior to November 10, 1956, or prior to November 10, 1957, by one-fourth or more eligible farmers to proclaim national marketing quotas for the next three succeeding marketing years and unless the quotas so proclaimed are approved by two-thirds or more of the farmers voting in a referendum.

(b) An original written petition (or petitions) to the Secretary of Agriculture as provided for in paragraph (a) of this section, shall be submitted to the Secretary, or if mailed shall be postmarked, prior to November 10, 1956, in the case of a petition for marketing quotas for the marketing years 1957–58, 1958–59, and 1959–60, or prior to November 10, 1957, in the case of a petition for marketing quotas for the marketing years 1958–59, 1959–60 and 1960–61. Any such petition (or petitions) shall include the address of each person signatory thereto; shall state that such persons favor the proclamation of national marketing quotas for cigar-filler (Type 41) tobacco for the years stated in the petition, and the holding of a referendum; and shall show that such persons are one-fourth or more of the farmers engaged in the production of the crop of cigar-filler (Type 41) tobacco harvested in the calendar year in which the petition is submitted.

(Sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply sec. 312, 52 Stat. 46, as amended 7 U. S. C. 1312)

Done at Washington, D. C., this 31st day of May 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 56-4408; Filed, June 5, 1956; 8:48 a. m.]

[Amdt. 2]

PART 728—WHEAT

SUBPART—WHEAT MARKETING QUOTAS FOR 1956 CROP

MISCELLANEOUS AMENDMENTS

The amendments herein are issued under the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, for the purpose of providing the rate of penalty in dollars and cents and amending other provisions relating to measurement, storage of excess wheat, eligible agencies to receive excess wheat delivered to the Secretary, and examination of records of buyers of wheat. Since wheat producers in some sections of the United States will soon harvest and market this 1956 crop wheat, it is imperative that ASC State and county committees, as well as wheat farmers and buyers, be informed as soon as possible of the rate of penalty and other changes in the regulations. Therefore, it is hereby found that compliance with the notice, procedure, and 30-day effective date provisions of the Administrative Procedure Act is impracticable, unnecessary and contrary to the public interest. The amendments herein shall become effective upon filing of this document with the Director, Division of the Federal Register.

1. Subparagraph (4) of § 728.651 (u) is amended by inserting the words "in the case of wheat other than volunteer (self-seeded) wheat" immediately following the word "unless."

2. Paragraph (d) of § 728.655 is amended by revising the first sentence to read as follows: "Measurement may be made by identification of fields or parts of fields by use of a map, aerial photograph, or by means of a steel or metallic tape or chain, or rod and chain, or by use of a measuring wheel, or walking A, when authorized by the Deputy Administrator of Production Adjustment, Commodity Stabilization Service, or by a combination of one or more of the foregoing methods."

3. Subparagraph (2) of § 728.655 (e) is amended by changing the period at the end of the first sentence to a comma and adding the following: "except that a revisit shall not be made to any farm on which the first inspection showed a total acreage of wheat not in excess of 15 acres unless a producer on such farm requests measurement and pays the cost thereof by the date specified on Notice of 1956 Acreage of Wheat (Form CSS-597), which date shall coincide with the latest date on which the adjustment may be made as provided in § 728.651 (u)."

4. Section 728.676 is amended to read as follows:

§ 728.676 *Rate of penalty.* The rate of penalty applicable to the 1956 crop wheat shall be $1.07 per bushel, which is 45 percentum of the parity price per bushel of wheat as of May 1, 1956, which is determined to be $2.39.

5. Paragraph (b) of § 728.683 is amended to read as follows:

(b) *Storage of wheat.* Stored excess wheat shall be kept in a place adapted to the storage of wheat, shall be of the current crop, and of a representative quality of all the wheat produced on the farm. The storage of wheat under paragraphs (d) and (e) of this section shall be effective only if the producer submits a written statement showing the exact location of the stored wheat by quarter section (or other comparable descriptive location in areas where description is not by quarter sections); and the wheat so stored is kept separate from and not commingled with or replaced by wheat produced on any other farm or any other crop of wheat produced on the same farm: *Provided,* That wheat of the same crop produced on two or more farms in which the producer has an interest may be stored at the same location and commingled. The penalty on any stored wheat removed from such location without prior written authorization from the county committee shall be due on such removal. Wheat so stored shall be subject to the further condition that it may be inspected at all times by officers or employees of the Department, or members, officers or employees of the State or county committee.

6. Paragraph (c) of § 728.683 is amended by changing the first sentence to read as follows: "The storage of wheat in an elevator or warehouse in order to postpone the payment of the penalty or with a view to avoiding such penalty shall be effective only when the wheat is stored in an elevator or warehouse licensed by State or Federal Government and a warehouse receipt covering the amount of wheat so stored is deposited with the treasurer of the county committee to be held in escrow."

7. Paragraph (b) of § 728.684 is amended by changing that part of the last sentence following the colon to read as follows: "Any Federal relief organization, the American Red Cross, State or municipal relief organization, Federal or State wildlife refuge project, or any voluntary relief organization registered with the Advisory Committee on Voluntary Foreign Aid of the International Cooperation Administration for the shipment for relief overseas."

8. Subparagraph (1) of § 728.687 (b) is amended by changing the second and third sentences to read as follows: "The record so made and all business records of such person required to keep such records shall be kept available for examination by the county office manager or any authorized representative of the State Administrative Officer or investigators and accountants (special agents) or other authorized representatives of the Director, Compliance and Investigation Division, Commodity Stabilization Service, United States Department of Agri-

culture, for two calendar years beyond the calendar year in which the marketing year ends. Such records shall include relevant books, papers, records, accounts, correspondence, contracts, documents, and memoranda, but shall be examined only for the purpose of ascertaining the correctness of any report made or record kept pursuant to the regulations in this subpart, or of obtaining the information required to be furnished in any report pursuant to the regulations in this subpart but not so furnished."

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C., 1375. Interpret or apply secs. 301, 331–339, 362–368, 372–376, 52 Stat. 38, as amended; 55 Stat. 203, as amended; 7 U. S. C. 1301, 1331–1340, 1362–1368, 1372–1376)

Done at Washington, D. C., this 31st day of May 1956.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 56-4407; Filed, June 5, 1956; 8:48 a. m.]

[1026 (Peanuts-56)-1]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1956 CROP

GENERAL

AUTHORITY: §§ 729.740 to 729.769 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361–368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361–1368, 1372, 1373, 1374, 1376, 1388.

GENERAL

§ 729.740 *Basis and purpose.* The regulations contained in §§ 729.740 to 729.769 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the determination of farm peanut acreages, the issuance of marketing cards, the identification of peanuts; the collection and refund of penalties, and the records and reports incident thereto, on the marketing of peanuts of the 1956 crop, regardless of whether such peanuts are marketed before, during, or after the 1956–57 marketing year. Prior to preparing the regulations in §§ 729.740 to 729.769, public notice of their formulation was published in the FEDERAL REGISTER (21 F. R. 995) in accordance with the Administrative Procedure Act (5 U. S. C. 1003). Views and recommendations received in response to such notice have been duly considered within the limits prescribed by the Agricultural Adjustment Act of 1938.

§ 729.741 *Definitions.* As used in §§ 729.740 to 729.769 and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938, as amended, and supplemented.

(b) "Areas" means:

(1) The Southeastern Area consisting of the States of Alabama, Georgia, Mississippi, Florida, and that part of South Carolina south and west of the Santee-Congaree-Broad Rivers.

(2) The Southwestern Area consisting of the States of Arizona, Arkansas, California, Louisiana, New Mexico, Oklahoma, and Texas.

(3) The Virginia-Carolina Area consisting of the States of Missouri, North Carolina, Tennessee, Virginia, and that part of South Carolina north and east of the Santee-Congaree-Broad Rivers.

(c) "Buyer" means a person who:

(1) Buys or otherwise acquires peanuts from a producer;

(2) Buys or otherwise acquires farmers' stock peanuts from any person; or

(3) Markets, as a commission merchant, broker, or cooperative any peanuts for the account of a producer and who is responsible to the producer for the amount received for the peanuts.

(d) Committees: (1) "Community committee" means the persons elected within a community as the community committee pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(2) "County committee" means the persons elected within a county as the county committee, pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees.

(3) "State committee" means the persons designated in a State by the Secretary as the Agricultural Stabilization and Conservation committee.

(e) "County office manager" means the person employed by the county committee to execute the policies of the county committee and be responsible for the day-to-day operation of the county ASC office, or the person acting in such capacity.

(f) "Deputy Administrator" means the Deputy Administrator, Production Adjustment or the Acting Deputy Administrator, Production Adjustment, Commodity Stabilization Service, United States Department of Agriculture.

(g) "Director" means the Director or the Acting Director of the Oils and Peanut Division, Commodity Stabilization Service, United States Department of Agriculture.

(h) "Excess acreage" means the acreage by which the farm peanut acreage exceeds the farm allotment but there will be no excess acreage if the farm peanut acreage is one acre or less. Furthermore, the excess acreage for the farm shall be zero in any case where (1) through error on the part of the county or State office, the operator was officially notified in writing on MQ–24–Peanuts (1956) of an allotment larger than the finally approved farm allotment; (2) the county office manager finds that the operator, acting solely on the basis of the information contained in the erroneous notice, picked and threshed peanuts from acreage in excess of the finally approved farm allotment but not in excess of the allotment stated in the erroneous notice; (3) the extent of error in the erroneous notice was such that the operator would not reasonably be expected to question the allotment of which he was erroneously notified; and (4) the State administrative officer concurs in the county office manager's finding. Where the operator received his corrected notice of allotment after the peanuts were planted but before they were picked or threshed, the excess acreage shall be zero if the acreage picked and threshed does not exceed the allotment stated in the erroneous notice, provided the county office manager and State administrative officer determines that the acreage planted for picking or threshing was in excess of the allotment only because the operator was given an erroneous notice of allotment.

(i) "Excess peanuts" means peanuts in excess of the farm marketing quota determined pursuant to § 729.746.

(j) "Farm" means all adjacent or nearby farmland under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farmland which the county committee determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county in which the major portion of the farm is located.

(k) "Farm allotment" means the farm peanut acreage allotment for the 1956 crop of peanuts established pursuant to §§ 729.710 to 729.730 of the marketing quota regulations for the 1956 crop of peanuts (20 F. R. 6033).

(l) "Farm peanut acreage" means the farm peanut acreage for the farm as determined under § 729.711 (i) of the marketing quota regulations for the 1956 crop of peanuts (20 F. R. 6033).

(m) "Farmers stock peanuts" means picked or threshed peanuts produced in the continental United States during the calendar year 1956 which have not been shelled, crushed, cleaned (except for removal of foreign material) or otherwise changed from the state in which picked or threshed peanuts are customarily marketed by producers.

(n) "Market" means to dispose of peanuts, including farmers stock peanuts, shelled peanuts, cleaned peanuts, or peanuts in processed form by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos. The terms "marketed", "marketing", and "for market" shall have corresponding meanings to the term "market" in the connection in which they are used. The terms "barter" and "exchange" shall include the payment by the producer of any quantity of peanuts for the harvesting, picking, threshing, cleaning, crushing, or shelling of peanuts, or for any other service rendered to him by anyone.

(o) "Marketing card": (1) "Excess penalty card" means MQ–77—Peanuts (1956) or MQ–77–VC—Peanuts (1956), 1956 Peanut Excess Penalty Marketing Card. MQ–77 will be issued for farms in the Southeastern area and in the Southwestern area. MQ–77–VC will be issued for farms in the Virginia-Carolina area. These cards will be issued for farms for which it is determined that the farm peanut acreage is in excess of the larger of the farm allotment or one acre. A portion of each lot of peanuts identified by an excess penalty card is subject to the marketing penalty prescribed in § 729.755 at the time the peanuts are marketed.

(2) "Within quota card" means MQ–76—Peanuts (1956) or MQ–76–VC—Peanuts (1956), 1956 Peanut Within Quota Marketing Card. MQ–76 will be issued for farms in the Southeastern area and in the Southwestern area. MQ–76–VC will be issued for farms in the Virginia-Carolina area. These cards will be issued for farms for which it is determined that the farm peanut acreage is not in excess of the larger of the farm allotment or one acre. A within quota card authorizes the marketing of all peanuts produced on the farm without payment at the time of marketing of the penalty prescribed in § 729.755.

(p) "Marketing year" means the 1956 marketing year beginnig August 1, 1956, and ending July 31, 1957.

(q) "Offices": (1) "County ASC Office" means the office of the Agricultural Stabilization and Conservation county committee.

(2) "State ASC Office" means the office of the Agricultural Stabilization and Conservation State committee.

(r) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(s) "Peanuts" means all peanuts produced, excluding any peanuts which were not picked or threshed either before or after marketing from the farm.

(t) "Person" means an individual, partnership, association, farmers cooperative association, corporation, firm, joint-stock company, estate or trust, or other business enterprise or other legal entity, and whenever applicable, a State, a political subdivision of a State, or any agency thereof.

(u) "Pound" means that quantity of farmers stock peanuts equal to one pound standard weight. If peanuts have been graded at the time of marketing, the poundage shall be the weight thereof excluding foreign material and excess moisture (excess moisture means moisture in excess of seven percent in the Southeastern and Southwestern areas and eight percent in the Virginia-Carolina area). If shelled peanuts are marketed, the poundage therefor shall be converted to the weight of farmers stock peanuts by multiplying the number of pounds of shelled peanuts by 1.5 and the result shall be the number of pounds of peanuts considered as marketed under this part.

(v) "Producer" means a person who, as landlord, tenant, or sharecropper is entitled to share in the peanuts produced on the farm or in the proceeds thereof.

(w) "Quota peanuts" means peanuts which are within the amount of the farm marketing quota determined pursuant to § 729.746.

(x) "Sales memorandum" means:

(1) Form MQ–93—Peanuts (1952), which may be used (i) by buyers to record and report data with respect to purchases of peanuts identified by both within quota and excess penalty cards, (ii) to record and report data with respect to purchases of peanuts that are not identified by a marketing card, and (iii) by shellers to record and report data with respect to peanuts shelled for producers in instances where all of the shelled peanuts are returned to the producer.

(2) Form MQ–94—Peanuts (1956), which may be used by buyers in the Southeastern and Southwestern areas to record and report data with respect to purchases of peanuts identified by either a within quota or an excess penalty card if the peanuts have been inspected by the Federal-State Inspection Service.

(3) Form MQ–76–A–VC—Peanuts (1956), ten copies of which are attached to each Form MQ–76–VC. This form may be used by buyers to record and report data with respect to purchases of peanuts identified by Form MQ–76–VC.

(4) Form MQ–77–A–VC—Peanuts (1956), ten copies of which are attached to each Form MQ–77–VC. This form may be used by buyers to record and report data with respect to purchases of peanuts identified by Form MQ–77–VC.

(5) Any other form furnished by the buyer for recording and reporting purchases of peanuts, provided (i) the State committee determines that the use of forms other than those enumerated in subparagraphs (1) through (4) of this paragraph will not operate to reduce effective administration of the program in the State and (ii) the form proposed for use by the buyer is approved by the State Administrative Officer of each State in which the buyer will purchase 1956 crop peanuts as being consecutively numbered and containing the necessary language and spaces for recording and reporting the same information as that required by Form MQ–93—Peanuts (1952) for purchases of farmers stock peanuts.

(y) "Secretary" means the Secretary or the Acting Secretary of the United States Department of Agriculture.

(z) "State Administrative Officer" means the person employed by the State committee to execute the policies of the State committee and be responsible for the day-to-day operations of the State ASC office, or the person acting in such capacity.

(aa) "Yields": (1) "Normal yield" means the normal yield per acre for the farm as determined under § 729.721 or 729.723, whichever is applicable of the marketing quota regulations for the 1956 crop of peanuts (20 F. R. 6033).

(2) "Actual yield" means the actual yield per acre for the farm obtained by dividing the farm peanut acreage into the total production of peanuts for the farm.

§ 729.742 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Deputy Administrator.

§ 729.743 *Extent of calculations and rule of fractions.* (a) The farm peanut acreage shall be expressed in tenths of an acre and fractions of less than one-tenth of an acre shall be dropped.

(b) The percentage of excess peanuts for a farm, hereinafter referred to as the "percent excess," shall be expressed in tenths of a percent and fractions of less than one-tenth of a percent shall be dropped, except that the minimum percent excess for a farm having any excess acreage shall be one-tenth of one percent.

(c) The converted penalty rate shall be expressed in tenths of a cent and fractions of less than a tenth of a cent shall be dropped, except that the minimum converted penalty rate for a farm having any excess acreage shall be one-tenth of a cent.

(d) The amount of penalty with respect to any lot of peanuts, or the amount of damages due Commodity Credit Corporation under an agreement

made pursuant to § 729.759, shall be expressed as dollars and in whole cents. Fractions of less than a cent shall be dropped.

(e) The quantity of peanuts marketed, the farm marketing quota, and the normal and actual yield per acre, shall be expressed in whole pounds. Fractions of less than a pound shall be dropped.

IDENTIFICATION AND MEASUREMENT OF FARMS

§ 729.744 *Identification of farms.* Each farm as operated for the 1956 crop of peanuts shall be identified by a farm serial number and all records pertaining to marketing quotas for the 1956 crop of peanuts shall be identified by the farm serial number.

§ 729.745 *Measurement of farms.* The peanut acreage on farms shall be measured to determine compliance with farm allotments in accordance with instructions issued by the Deputy Administrator. If, after the picking or threshing of peanuts on a farm is completed, it is discovered that the picked and threshed acreage for 1956 exceeds the 1956 farm allotment (or one acre if the farm allotment is less than one acre) because the farm operator received an erroneous notice in writing regarding (a) the number of acres planted to peanuts on the farm or (b) the farm peanut acreage, a statement of all the facts and circumstances causing the error and the county office manager's recommendation shall be referred to the State administrative officer. Upon recommendation of the county office manager and approval by the State administrative officer, the 1956 farm peanut acreage shall be considered to be an acreage equal to the larger of one acre or the 1956 farm allotment, if all of the following conditions are met:

(1) The incorrect notice was the result of an error made by the performance reporter or by an employee of the county office in reporting, computing, or recording peanut acreages for the farm;

(2) Neither the farm operator nor any producer on the farm was in any way responsible for the error; and

(3) The extent of error in the erroneous notice was such that the farm operator would not reasonably be expected to question the acreage of which he was erroneously notified.

FARM MARKETING QUOTAS AND MARKETING CARDS

§ 729.746 *Amount of farm marketing quota.* (a) The farm marketing quota for a farm having no excess acreage shall be the actual production of peanuts on the farm peanut acreage.

(b) The farm marketing quota for a farm having excess acreage shall be a quantity of peanuts equal to the actual yield multiplied by the farm allotment.

§ 729.747 *Marketing quotas not transferable.* Farm marketing quotas are not transferable in whole or in part from one farm to another farm and peanuts produced on one farm shall not be marketed on a marketing card issued with respect to another farm. If any amount of peanuts produced on one farm is falsely identified by a representation that such peanuts were produced on another farm the allotment next established for each such farm shall be reduced as provided in § 729.724 of the marketing quota regulations for the 1956 crop of peanuts (20 F. R. 6033).

§ 729.748 *Issuance of marketing cards.* (a) A marketing card shall be issued to the operator of each farm having 1956 crop peanuts for use by any producer for marketing his share of the peanuts produced on the farm. If the county office manager finds that it will serve a useful purpose, additional marketing cards may be issued in the name of the operator and delivered to other producers on the farm or the marketing card may be issued in the name of the operator and one or more producers on the farm.

(b) If the county committee determines that such action is necessary to enforce the provisions of §§ 729.740 to 729.769, the issuance of a marketing card may be withheld for any farm until the committee provides for an estimate to be made of the peanut production on such farm. The estimated production on each such farm will be used in determining, after all peanuts produced on such farms have been marketed or otherwise disposed of, whether the marketing card issued for each farm was properly used.

(c) Upon return to the county ASC office, of any marketing card where all spaces for recording sales have been used and before the marketing of peanuts from the farm has been completed, a new marketing card of the same kind, bearing the same name, information, and identification as the used card shall be issued. A new marketing card of the same kind shall also be issued to replace a card which has been determined by the county office manager to have been lost, stolen, mutilated, or destroyed.

(d) Within quota card: A farm is eligible for a within quota card under any one of the following conditions:

(1) The farm has no excess acreage.

(2) The acreage planted to peanuts on the farm is in excess of the farm allotment but an agreement on Form MQ-92—Peanuts (1956) is executed and approved in accordance with § 729.759.

(3) The farm has excess acreage which consists of peanuts grown only for experimental purposes on land owned or leased by a publicly owned agricultural experiment station and produced at public expense by employees of the experiment station, or peanuts produced by farmers pursuant to an agreement with a publicly owned experiment station.

(4) The Director of the publicly owned agricultural experiment station shall furnish the State administrative officer a list by counties showing the following information for farms in the State on which peanuts are grown for experimental purposes only:

(i) Name and address of the publicly owned experiment station;

(ii) Name of the owner, and name of the operator if different from the owner of each farm in the State on which peanuts are grown for experimental purposes only;

(iii) The acreage of peanuts grown on each farm for experimental purposes only; and

(iv) A certification signed by the Director of the publicly owned agricultural experiment station stating that:

(*a*) Such acreage of peanuts was grown on each farm for experimental purposes only and was necessary for carrying out the experiment; and

(*b*) The peanuts were produced under the direction of representatives of the publicly owned agricultural experiment station.

§ 729.749 *Person authorized to issue cards.* The county office manager shall sign marketing cards for farms in the county as issuing officer. The issuing officer may designate not more than three persons to sign his name in issuing marketing cards: *Provided,* That each person so designated shall place his initials immediately beneath the name of the issuing officer as written by him or stamped on the card.

§ 729.750 *Successors-in-interest.* Any person who succeeds in whole or in part to the share of a producer in the peanuts to be marketed from a farm shall, to the extent of such succession, have the same rights as the producer to the use of any marketing card issued for the farm.

§ 729.751 *Invalid marketing cards.* (a) A marketing card shall be invalid if:

(1) It is not issued or delivered in the form and manner prescribed;

(2) Entries are omitted, incorrect, contradictory, or illegible;

(3) It is lost, destroyed, or stolen;

(4) Any erasure or alteration has been made and not properly initialed; or

(5) The converted penalty rate on an excess penalty card has been altered.

(b) If any marketing card becomes invalid (other than by loss, destruction, or theft) the operator, or the person having the card in his possession, shall return it to the county ASC office from which it was issued. If any marketing card is lost, destroyed, or stolen, the producer to whom the card was issued shall give written notice of such fact to the county ASC office from which the card was issued.

(c) If a marketing card becomes invalid because an entry is not made as required either through omission or incorrect entry, and the proper entry is later made and initialed by the issuing officer or a person designated by the issuing officer to sign his name in issuing marketing cards as provided in § 729.749, then such card shall become valid; or if the invalid card is not made valid in this manner, it shall be cancelled and a new card issued in its place.

§ 729.752 *Report of misuse of marketing card.* Any information which causes a member of a State, county, or community committee, or an employee of a State or county ASC office, or any person engaged in buying or handling peanuts, to believe that any peanuts have or are being marketed on a marketing card issued for another farm or to another producer shall be reported immediately

by such committeeman, employee, or person to the county ASC office or to the State ASC office.

MARKETING OR OTHER DISPOSITION OF PEANUTS AND PENALTIES

§ 729.753 *Extent to which marketings from a farm are subject to penalty.* The penalty for a farm having excess acreage shall be determined as follows:

(a) If the peanuts produced on the farm are properly marketed with an excess penalty card issued for the farm, the penalty shall be paid on each lot of peanuts marketed from the farm in an amount determined by multiplying the converted penalty rate for the farm by the number of pounds in the lot.

(b) If the peanuts produced on the farm are not properly marketed with an excess penalty card issued for the farm but the disposition of the peanuts produced on the farm is accounted for to the satisfaction of the State committee, the total amount of penalty for the farm shall be determined by multiplying the total quantity of peanuts marketed from the farm by the converted penalty rate for the farm.

(c) If the disposition of peanuts produced on the farm is not accounted for to the satisfaction of the State committee or if any amount of peanuts produced on one farm is falsely identified by a representation that such peanuts were produced on another farm, a penalty for the farm shall be determined by multiplying the normal yield by the excess acreage by the basic penalty rate.

(d) If the representative of the county committee is prevented by the operator or other producer or person from determining the farm peanut acreage, the farm will be deemed to have excess acreage and the penalty for the farm shall be determined by multiplying the quantity of peanuts marketed from the farm by the basic penalty rate. If, however, the operator furnishes a complete and correct report containing the information specified in § 729.761 (b), the penalty for the farm shall be determined in accordance with paragraph (b) of this section. The procedure outlined in this section shall not be deemed to affect the right of the Secretary to obtain measurement as provided for in the act.

(e) Notwithstanding the foregoing provisions of this section, the penalty will not be applicable to the shriveled, damaged, split, and broken peanut kernels which are obtained in the process of shelling farmers stock peanuts of the 1956 crop for use by the producer as seed in 1957 if the quantity of peanuts shelled by or for the producer is in line with the seed requirements for his farm in 1956 as determined by the county office manager.

§ 729.754 *Identification of marketings.* (a) Each marketing of peanuts from a farm shall be recorded by the buyer or his representative on a marketing card issued for the farm on which the peanuts were produced, if such marketing card is presented to the buyer by the producer at the time the peanuts are marketed. Each marketing of peanuts without a marketing card shall be subject to the penalty at the rate prescribed in § 729.755 (a) unless the marketing consists of shriveled, damaged, split, and broken peanut kernels which were produced in shelling not in excess of that quantity of farmers stock peanuts for a producer which the county office manager detrmines is reasonable for seed purposes on the producer's farm for the 1957 crop. The marketing of such shriveled, damaged, split, and broken kernels that are not identified by a marketing card will be identified by Form MQ–93—Peanuts (1952) partially executed by the county office manager to show the quantity of peanuts that is reasonable for seed purposes on the producer's farm for the 1957 crop. Buyers will record and report purchases of shelled peanuts from producers that are not identified by within quota cards on Form MQ–91—Peanuts: *Provided, however,* That a person who is not engaged in the business of buying peanuts for movement into the regular channels of trade shall not be required to make a record and report of purchases of peanuts from producers if the county office manager has determined that it would be administratively impracticable to require such buyer to execute forms, keep the records and make the buyer's reports as required in §§ 729.740 to 729.769, in which case the producer marketing the peanuts shall be responsible for reporting each marketing to the county ASC office.

(b) A buyer who resells any farmers stock peanuts of the 1956 crop shall keep, as part of or in addition to the records maintained by him in the conduct of his business, such records as he determines are necessary to enable him to certify, in connection with any such resale of farmers stock peanuts, that such peanuts were identified to him by valid marketing cards when purchased from farmers or other records of resale and that any penalty due was collected and remitted. The records maintained by the buyer with respect to such peanuts shall be available for examination in accordance with § 729.766.

§ 729.755 *Rate of penalty.* (a) The basic penalty rate shall be equal to 75 percent of the support price for peanuts for the marketing year.

NOTE: The exact amount of the penalty rate for peanuts of the 1956 crop will be issued as an amendment to this section as soon as the basic rate of the loan or support price for 1956 is announced.

(b) The converted penalty rate for a farm shall be determined as follows:

(1) Compute the percent excess for a farm by dividing the farm peanut acreage into the excess acreage.

(2) Multiply the percent excess for the farm by the basic penalty rate.

§ 729.756 *Persons to pay penalty.* (a) The penalty due on peanuts purchased directly from a producer shall be paid by the buyer who may deduct an amount equivalent to the penalty from the price paid to the producer, except that the penalty due on marketings by a producer directly to any person outside the United States shall be paid by the producer. The buyer shall not be relieved of any liability with respect to the amount of penalty because of any error which may occur in executing a sales memorandum. If the buyer fails to collect or to pay the penalty due on any marketing of peanuts from a farm, he and all producers on the farm shall be jointly and severally liable for the amount of the penalty.

(b) Notwithstanding any other provisions of §§ 729.740 to 729.769, if the county office manager finds that peanuts produced on a farm on which there is excess acreage have been or probably will be sold to persons who are not engaged in the business of buying peanuts for movement into the regular channels of trade and determines that it would be administratively impracticable to effect the collection of the marketing penalty from such persons, the county office manager may, on the basis of county office records or other available information, estimate the actual yield and the production for the farm and determine the amount of penalty due on the quantity of peanuts marketed to such persons. The amount of penalty shall be determined by multiplying the converted penalty rate by the estimated total production for the farm. The amount of penalty may be collected from the operator or producer before the marketing card is issued if he agrees to payment of the penalty in this manner. If the county office manager determines that satisfactory information is not available for estimating the 1956 yield, a normal yield for the farm shall be determined and it shall be considered to be the estimated actual yield for the purpose of determining the amount of penalty. An excess penalty card shall be issued for the farm. If the penalty is paid before the excess penalty card is issued, the penalty rate on the card shall be shown as "zero". If the county committee determines, after marketing of the 1956 crop for the farm has been completed that the actual production for the farm was less than the estimated production, any penalty paid in excess of the amount actually due shall be refunded upon presentation of a request therefor as provided in § 729.760. If the county committee determines, after marketing of the 1956 crop for the farm has been completed that the actual production for the farm was more than the estimated production, the county committee shall immediately redetermine the amount of penalty due and shall make demand upon the producer for the amount of unpaid penalties.

§ 729.757 *Marketings subject to penalty.* In addition to marketings subject to penalty that are identified by excess penalty cards, the marketing of peanuts under any of the following conditions shall be deemed to be a marketing subject to penalty at the rate prescribed in § 729.755.

(a) *Producer marketings.* (1) Any marketing of peanuts by a producer which is not identified by a valid marketing card shall be deemed to be a marketing subject to penalty at the rate prescribed in § 729.755 (a) unless the peanuts marketed consist of shriveled, damaged, split, and broken peanut kernels as described in § 729.754 (a) or unless the marketing is within the terms of the proviso contained in § 729.754 (a).

The penalty due under the provisions of this paragraph shall be determined by multiplying the pounds marketed by the basic penalty rate, and such amount of penalty shall be paid by the buyer who may deduct an amount equivalent to the penalty from the amount due the producer.

(2) Notwithstanding the provisions of § 729.753, if any producer falsely identifies or fails to account for the disposition of any peanuts produced on a farm, an amount of peanuts equal to the normal yield of the excess acreage for the farm shall be deemed to have been a marketing subject to penalty from such farm. A penalty for the farm shall be determined by multiplying the normal yield by the excess acreage by the basic penalty rate, and such amount of penalty shall be paid by the producer.

(b) *Buyer's marketings.* The part or all of any marketing of peanuts by a buyer which such buyer represents to be a resale, but which when added to prior sales by such buyer is in excess of the total amount of his prior purchases shall be deemed to be a marketing subject to penalty unless and until such buyer furnishes proof acceptable to the State committee showing that such marketing is not a marketing subject to penalty. Any penalty due under this paragraph shall be paid by the buyer making the resale.

(c) *Marketings not reported.* Any marketing of peanuts, which, under the regulation in §§ 729.740 to 729.769, a buyer is required to report, but which is not so reported within the time and in the manner therein required, shall be deemed to be a marketing subject to penalty unless and until such buyer furnishes a report of such marketing which is acceptable to the State committee. The penalty shall be determined by multiplying the pounds marketed by the basic penalty rate, and such amount of penalty shall be paid by the buyer who fails to make the report as required.

§ 729.758 *Payment of penalty.* Penalties shall become due at the time the peanuts are marketed and shall be paid by remitting the amount thereof to the State ASC office not later than the end of two calendar weeks following the week in which the peanuts became subject to penalty. Penalties due under § 729.753 (c) shall become due on demand. The person liable for payment or collection of the penalty shall be liable also for interest thereon at the rate of 6 per cent per annum from the date the penalty becomes due until the date of payment of such penalty. A draft, money order, or check drawn payable to the Treasurer of the United States may be used to pay any penalty, but any such draft or check shall be received subject to collection and payment at par.

§ 729.759 *Use of agreement to permit marketings from overplanted farms—(a) Within quota card issued on basis of agreement.* If the State committee determines that the agreement provided for in this section will serve a useful purpose, it may authorize its use in the State. Where the use of the agreement is authorized, the county office manager may, upon request of the operator of any farm on which the acreage planted to peanuts exceeds the farm allotment, issue a within quota card with respect to the farm in the manner prescribed in § 729.748 if the operator executes an agreement form in which he represents that the farm peanut acreage will not exceed the larger of the farm allotment or one acre and such form is approved by the county committee.

(b) *Form of agreement.* The agreement referred to in this section shall be on Form MQ–92—Peanuts (1956) executed in accordance with instructions issued by the Deputy Administrator. If the county committee determines that a within quota card issued pursuant to this section would be used as a device to evade the payment of penalty or the terms and conditions of the 1956 crop price support program, the agreement shall not be approved by the county committee and a marketing card shall not be issued for the farm until the farm peanut acreage has been determined.

(c) *Payment of penalty.* If any penalty becomes due for a farm for which an agreement has been executed and approved, the amount of the penalty shall be determined in accordance with § 729.753. At the request of the county office manager, the operator shall surrender the marketing card issued for the farm showing thereon the required record of all peanuts marketed. After collecting the amount of any penalty due, an excess penalty card shall be issued for the farm if marketings from the farm have not been completed.

§ 729.760 *Request for refund of penalty.* After the marketing of peanuts from the farm has been completed and the disposition of any other peanuts produced on the farm can be shown, the producer or any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount required under §§ 729.740 to 729.769 to be paid. Such request shall be filed with the county ASC office within two years after the payment of the penalty. No refund shall be made because of peanuts kept on the farm for seed or for home consumption. In each instance where an excess penalty card was issued for a farm showing the minimum converted penalty rate and in each instance of violation of agreement where the minimum converted penalty rate is used to compute the amount of penalty, because of the rule of fractions, the county office manager shall recompute the amount of penalty for the farm by multiplying the total pounds of peanuts marketed from the farm by the percent excess by the basic penalty rate. If the penalty for the farm has already been collected and such amount exceeds the revised amount of penalty computed for the farm by more than $3.00, a refund shall be made to the producer in accordance with this paragraph.

RECORDS AND REPORTS

§ 729.761 *Producer's records and reports—(a) Report on marketing card.* Each marketing card issued with respect to a farm on which peanuts are produced in 1956 shall be returned to the county ASC office whenever marketings from the farm are completed or at such earlier time as the county office manager may request. Failure to return the marketing card shall constitute failure to account for disposition of peanuts marketed from the farm in the event that a satisfactory account of such disposition is not furnished otherwise, and the allotment next established for such farm shall be reduced as provided in § 729.724 of the marketing quota regulations for the 1956 crop (20 F. R. 6033).

(b) *Additional reports by producers.* (1) In addition to any other reports which may be required under §§ 729.740 to 729.769, the operator of each farm or any other producer on the farm (even though the farm has no excess acreage) shall, upon written request from the State administrative officer sent by certified mail to such person at his last known address, furnish the Secretary a written report of the disposition made of all peanuts produced on the farm by sending the name to the State ASC office within 15 days after the request for such report was deposited in the United States mails. Such written report shall show for the farm:

(i) The farm peanut acreage;

(ii) The total production of peanuts on the farm peanut acreage;

(iii) The name and address of the buyer to or through whom each lot of peanuts was marketed, the number of pounds marketed in each lot, and the date marketed;

(iv) The quantity of peanuts not marketed; and

(v) In the case of a farm for which an agreement was approved under § 729.759, the gross value received for each lot of peanuts.

(2) Failure to file the report as requested or the filing of a report which is found by the State committee to be false shall constitute failure of the producer to account for disposition of peanuts produced on the farm and the allotment next established for such farm shall be reduced as provided in § 729.724 of the marketing quota regulations for peanuts of the 1956 crop (20 F. R. 6033).

§ 729.762 *Records and reports of buyers and others.* The following paragraphs shall apply to all marketings except marketings within the terms of the proviso contained in § 729.754 (a):

(a) *Record of marketings.* (1) Each buyer shall keep such records as will enable him to furnish the State ASC office the following information with respect to each lot of peanuts marketed to or through him by a producer:

(i) Serial number of the marketing card presented by the producer to identify each marketing.

(ii) Name of producer and either the name of the operator of the farm or the farm serial number.

(iii) Date of marketing.

(iv) Number of pounds marketed.

(v) Amount of any penalty due and the amount of any deduction for penalty from the amount paid the producer.

(2) This record may be kept by the buyer maintaining a file on his copies of sales memoranda.

(3) Records of all resales of farmers stock peanuts by the buyer shall be

maintained and the name of each person to whom such resale was made shall be shown on the buyer's record in accordance with § 729.754 (b).

(b) *Sales memorandum.* Buyers will record and report each purchase of farmers stock peanuts on a sales memorandum. The CSS copies of sales memoranda, with remittances covering the penalties due on purchases of excess peanuts, shall be forwarded to the State ASC office by means of MQ–79—Peanuts (1956), Buyers Weekly Report and Transmittal to State ASC office, not later than the end of the two calendar weeks following the week in which the peanuts were marketed.

(c) *Sheller's report of shelled peanuts purchased or acquired from producers.* Persons who shell peanuts for producers and purchase or retain a quantity of the shelled peanuts shall record and report such purchases or acquisitions of shelled peanuts from producers on Form MQ–91—Peanuts, Sheller's Report of Peanuts Shelled for Producers, unless the peanuts are identified to the seed sheller by within quota marketing cards. The CSS copy of Form MQ–91—Peanuts, with remittances covering the penalty due on the purchase of excess peanuts subject to penalty shall be forwarded to the State ASC office not later than the end of two calendar weeks after the buyer has ceased purchasing shelled peanuts of the 1956 crop. If the peanuts to be shelled for the producer are identified to the sheller by a valid within quota marketing card and the sheller retains a quantity of the shelled peanuts, he shall keep such records as will enable him to show the following information regarding each such transaction:

(1) Serial number of the within quota marketing card presented by the producer.

(2) Name and address of the producer.

(3) Date of shelling.

(4) Pounds of farmers stock peanuts shelled.

(5) Pounds of shelled peanuts returned to the producer.

(6) Pounds of shelled peanuts retained by sheller.

The records maintained by the sheller with respect to such peanuts shall be available for examination in accordance with § 729.766.

(d) *Additional records and reports.* Each buyer, warehouseman, processor, or common carrier of peanuts, any broker or dealer in peanuts, any agent marketing peanuts for a producer or acquiring peanuts for a buyer or dealer, any peanut growers cooperative association, any person engaged in the business of cleaning, shelling, crushing, or salting peanuts or manufacturing peanut products, or any person owning or operating a peanut picking or peanut threshing machine shall keep such records and furnish such reports to the State ASC office in addition to the foregoing, as the State committee may find necessary to insure the proper identification of the marketings of peanuts and the collection of penalties due thereon as provided in §§ 729.740 to 729.769.

§ 729.763 *Record and report of peanuts shelled for producers.* Any person who shells peanuts for a producer and does not retain any of the shelled peanuts shall keep such records as will enable him to show the following information regarding each such transaction:

(a) Name and address of the producer.

(b) Date of shelling.

(c) Pounds of farmers stock peanuts shelled.

(d) Pounds of shelled peanuts returned to the producer.

The records maintained by the sheller in accordance with this section shall be available for examination in accordance with § 729.766.

§ 729.764 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a buyer, processor, or other person engaged in the business of shelling or crushing peanuts, and who is engaged in more than one such business shall keep such records as will enable him to make separate reports for each such business in which he is engaged to the same extent for each such business as if he were engaged in no other business.

§ 729.765 *Failure to keep records or make reports.* Any buyer, warehouseman, processor, or common carrier of peanuts, any broker or dealer in peanuts, any agent marketing peanuts for a producer or acquiring peanuts for a buyer or dealer, any peanut growers cooperative association, any person engaged in the business of cleaning, shelling, crushing, or salting peanuts, or manufacturing peanut products, or any person owning or operating a peanut picking or peanut threshing machine, who fails to make any report or keep any record as required in accordance with §§ 729.740 to 729.769, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500.00.

§ 729.766 *Examination of records and reports.* Any buyer, warehouseman, processor, or common carrier of peanuts, any broker or dealer in peanuts, any agent marketing peanuts for a producer or acquiring peanuts for a buyer or dealer, any peanut growers cooperative association, any person engaged in the business of cleaning, shelling, crushing, or salting peanuts or manufacturing peanut products, or any person owning or operating a peanut picking or threshing machine, shall make available for examination upon written request by the State administrative officer or the Director, such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as the State administrative officer or the Director has reason to believe are relevant to any matter under investigation in connection with enforcement of the program and which are within the control of such person.

§ 729.767 *Length of time records and reports to be kept.* Records required to be kept and copies of reports required to be made by any person in accordance with §§ 729.740 to 729.769 for the 1956–57 marketing year shall be kept by him until July 31, 1959. Records shall be kept for such longer period of time as may be requested in writing by the Director.

MISCELLANEOUS

§ 729.768 *Information confidential.* All data reported to or as required by the Secretary pursuant to the provisions of §§ 729.740 to 729.769 shall be kept confidential by all officers and employees of the United States Department of Agriculture and by all members and employees of State or county committees, and only such data so reported or acquired as the Deputy Administrator deems relevant shall be disclosed by them and then only in a suit or administrative hearing, under Title III of the act.

§ 729.769 *Redelegation of authority.* Any authority delegated to the State committee by the regulations in §§ 729.740 to 729.769 may be redelegated by the State committee.

NOTE: The record-keeping and reporting requirements of these regulations have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1952.

Done at Washington, D. C., this 31st day of May 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 56-4406; Filed, June 5, 1956; 8:48 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Lime Order 1, Amdt. 5]

PART 1001—LIMES GROWN IN FLORIDA

QUALITY AND SIZE REGULATION

Findings. (1) Pursuant to the marketing agreement and Order No. 101 (7 CFR Part 1001; 20 F. R. 4179) regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become ef-

fective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 7, 1956. Shipments of designated varieties of Florida limes are currently subject to quality regulation pursuant to Lime Order 1, as amended (§ 1001.301; 20 F. R. 4711; 4897; 6676; 21 F. R. 1819; 2650), and, unless sooner modified or terminated, will continue to be so regulated until May 1, 1957; determinations as to the need for, and extent of, continued regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendation and supporting information for regulation of lime shipments subsequent to June 7, 1956, and in the manner herein provided, were promptly submitted to the Department after a telephone meeting of the Florida Lime Administrative Committee on May 31; such meeting was held to consider recommendations for regulation, the provisions of this amendment are identical with the aforesaid recommendation of the committee, and information concerning such provisions has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective during the period hereinafter set forth; and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) It is, therefore, ordered that the provisions in paragraph (b) of § 1001.301 (Lime Order 1, as amended; 20 F. R. 4711; 4897; 6676; 21 F. R. 1819; 2650) are hereby amended to read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., June 7, 1956, and ending at 12:01 a. m., e. s. t., May 1, 1957, no handler shall handle:

(i) Any limes, including the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) and the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties), grown in the State of Florida, except the area West of the Suwannee River, unless such limes grade at least U. S. No. 2: *Provided,* That (*a*) a tolerance of 15 percent (including the tolerances provided in such grade) shall be allowed for limes not meeting such grade; and (*b*) the requirement of such grade that the limes shall have good green color shall be applicable only to limes known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties).

(ii) Any limes, grown in the State of Florida, except the area west of the Suwannee River, of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are more than slightly shriveled: *Provided,* That any portion of the tolerance specified in subdivision (i) (*a*) of this subparagraph may be used for limes failing to meet this requirement; or

(iii) Any container of limes, grown in the State of Florida, except the area west of the Suwannee River, of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which contains more than five percent, by count, of limes smaller than 1¾ inches in diameter ("diameter" to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit), unless the limes in such container have an average juice content of not less than 46 percent, by volume.

(2) As used in this section "handler" and "handle" shall have the same meaning as when used in said marketing agreement and order; the term "U. S. No. 2" and "good green color" shall have the same meaning as when used in the United States Standards for Persian (Tahiti) Limes, as recodified (§ 51.1001 of this title; 18 F. R. 7107); and the term "slightly shriveled" shall mean that the skin of the lime is slightly wrinkled or wilted from loss of moisture.

(c) *Effective time.* The provisions of this regulation shall become effective at 12:01 a. m., e. s. t., June 7, 1956.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: June 5, 1956.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 56-4501; Filed, June 5, 1956; 11:39 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 167]

PART 608—RESTRICTED AREAS

ALTERATIONS

The restricted area alteration appearing hereinafter has been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Panel and is adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.18, the Pensacola, Florida, area (D-153), amended on November 6, 1954, in 19 F. R. 7225, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 30°13'30" N., longitude 88°01'30" W.; thence easterly along the shoreline to latitude 30°16'25" N., longitude 87°34'20" W.; thence clockwise along the arc of a circle with a 1.7 nautical mile radius centered at latitude 30°16'48" N., longitude 87°32'10" W., to the shoreline at latitude 30°16'55" N., longitude 87°30'20" W.; thence to latitude 30°17'15" N., longitude 87°29'15" W.; thence clockwise along the arc of a circle with a 1.7 nautical mile radius centered at latitude 30°17'47" N., longitude 87°27'28" W., to the shoreline at latitude 30°17'50" N., longitude 87°25'30" W.; thence to latitude 30°18'20" N., longitude 87°23'20" W.; thence counter clockwise along the arc of a circle with a 4.3 nautical mile radius centered at latitude 30°20'53" N., longitude 87°19'04" W.; to the shoreline at latitude 30°19'10" N., longitude 87°14'45" W.; thence to latitude 30°19'15" N., longitude 87°13'50" W.; thence to latitude 30°16'30" N., longitude 87°13'00" W.; thence westerly three nautical miles from and parallel to the shoreline to latitude 30°10'20" N., longitude 87°01'30" W.; thence to point of beginning."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on July 1, 1956.

[SEAL] JAMES T. PYLE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 56-4393; Filed, June 5, 1956; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6297]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

JACQUES DE GORTER ET AL. TRADING AS PELTA FURS

Subpart—*Advertising falsely or misleadingly:* § 13.30 *Composition of goods:* Fur Products Labeling Act; § 13.73 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; § 13.90 *History of product or offering;* § 13.155 *Prices:* Exaggerated as regular and customary; fictitious marking; forced or sacrifice sales; § 13.175 *Quality of product or service;* § 13.235 *Source or origin:* History. Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur Products Labeling Act. Subpart—*Misbranding or mislabeling:* § 13.1190 *Composition:* Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; § 13.1280 *Price;* § 13.1325 *Source or origin:* Place: *Foreign, in general.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1845 *Composition:* Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; § 13.1880 *Old, used, reclaimed, or reused as unused or new:* Fur Products Labeling Act; § 13.1900 *Source or origin:* Fur Products Labeling Act: *Maker or seller, etc.; Place.*

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U. S. C. 45, 69f) [Cease and desist order, Jacques De Gorter et al. t. a. Pelta Furs, Los Angeles, Calif., Docket 6297, May 11, 1956]

In the Matter of Jacques De Gorter and Suze C. De Gorter, as Individuals and as Copartners Trading as Pelta Furs

This proceeding was heard by a hearing examiner on the complaint of the Commission—charging a great variety of violations of the Fur Products Labeling Act in advertisements in newspapers and otherwise and on labels attached to garments and on invoices, as specifically noted in the order below set forth—followed by respondents' denial of the principal charges, and hearings at which the issues were resolved by stipulation, with certain exceptions. The latter were determined by the hearing examiner in an initial decision and order to cease and desist.

From this, both counsel appealed. The Commission, after consideration of the entire record, granting the appeal of counsel supporting the complaint and denying that of respondents, vacating and setting aside the initial decision, made its findings as to the facts,[1] conclusions,[1] and order to cease and desist, which issued under date of May 11, 1956.

Commissioner Kern set forth an accompanying opinion[1] of the Commission, and Chairman Gwynne and Commissioner Mason joined in the dissenting opinion.[1]

Said order is as follows:

It is ordered, That respondents, Jacques De Gorter and Suze C. De Gorter, individually and as copartners trading as Pelta Furs or under any other trade name, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or the sale, advertising or offering for sale, or the transportation or distribution of any fur product in commerce, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which have been made in whole or in part of fur which had been shipped and received in commerce, as "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such product was manufactured;

2. Failing to affix labels to fur products showing:

a. The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

b. That the fur product contains or is composed of used fur when such is a fact;

c. That the fur product contains or is composed of bleached, dyed, or artificially colored fur when such is a fact;

d. That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur when such is a fact;

e. The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce;

f. The name of the country of origin of any imported furs used in the fur product.

3. Setting forth, on labels attached to fur products, the name or names of any animal or animals other than the name or names provided for in paragraph A (2) (a) above.

4. Setting forth on labels attached to fur products:

a. Non-required information mingled with required information;

b. Required information in handwriting;

c. Required information in a sequence different from that required by Rule 30 (a) of the rules and regulations.

5. Failing to show, on labels attached to fur products, all of the required information on one side of such labels.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

a. The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

b. That the fur product contains or is composed of used fur when such is a fact;

c. That the fur product contains or is composed of bleached, dyed, or artificially colored fur when such is a fact;

d. That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur when such is a fact;

e. The name and address of the person issuing such invoices;

f. The name of the country of origin of any imported furs contained in the fur product.

2. Using on invoices the name or names of any animal or animals other than the name or names provided for in paragraph B (1) (a) above, or setting forth thereon any form or misrepresentation or deception, directly or by implication, with respect to such fur products.

3. Setting forth required information in abbreviated form.

4. Failing to show the item number or mark of fur products on the invoices pertaining to such products, as required by Rule 40 of the rules and regulations.

C. Falsely or deceptively advertising fur products, through the use of any advertisement, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

1. Fails to disclose:

a. The name or names of the animal or animals producing the fur or furs contained in the fur products as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

b. That the fur products contain or are composed of bleached, dyed, or otherwise artificially colored fur when such is a fact;

c. The name of the country of origin of imported furs contained in fur products.

2. Represents directly or by implication:

a. That the regular or usual price of any fur product is any amount which is in excess of the price at which respondents have usually and customarily sold such products in the recent regular course of their business;

b. That a sale price enables purchasers of fur products to effectuate any savings in excess of the difference between the said price and the price at which comparable products were sold during the time specified or, if no time is specified, in excess of the difference between said price and the current price at which comparable products are sold;

c. That an amount set forth on price tags, or otherwise relating or referring to fur products, represents the value or the usual price at which said fur products had been customarily sold by respondents in the recent regular course of their business, contrary to fact;

d. That any such product is of a higher grade, quality, or value than is the fact, by means of illustrations or depictions of higher priced or more valuable products than those actually available for sale at the advertised selling price, or by any other means.

e. That any of such products are:

1. From the stock of a business in a state of liquidation, contrary to fact;

2. From the stock of a business recently consolidated with another, contrary to fact.

3. Makes pricing claims or representations of the type referred to in paragraph C (2) (a), (b), and (c) above, unless there is maintained by respondents full and adequate records disclosing the facts upon which such claims or representations are based.

It is further ordered, That respondents, Jacques De Gorter and Suze C. De Gorter, individually and as copartners trading as Pelta Furs or under any other trade name, and respondents' representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, and distribution of fur products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do further cease and desist from making, directly or by implication, any of the representations prohibited by paragraph C (2) of this order.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

By the Commission.

Issued: May 11, 1956.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 56-4400; Filed, June 5, 1956; 8:47 a. m.]

[1] Filed as part of the original document.

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 6—UNITED STATES GOVERNMENT LIFE INSURANCE

PART 8—NATIONAL SERVICE LIFE INSURANCE

POLICY LOANS

1. In Part 6, §§ 6.100 and 6.101 are amended to read as follows:

§ 6.100 *Policy loan; other than 5-year convertible term policy.* At any time after the expiration of the first policy year and before default in payment of any subsequent premium, and upon the execution of a loan agreement satisfactory to the Administrator, the United States will lend to the insured on the sole security of his United States Government life insurance policy, any amount which shall not exceed 94 percent of the cash value, and any indebtedness shall be deducted from the amount advanced on such loan. The loan shall bear interest at a rate not to exceed 6 percent per annum, payable annually, and, at any time before default in the payment of the premium, the loan may be repaid in full or in amounts of $5 or more. Failure to pay either the amount of the loan or the interest thereon shall not void the policy unless the total indebtedness shall equal or exceed the cash value thereof. When the amount of the indebtedness equals or exceeds the cash value the policy shall cease and become void.

§ 6.101 *Policy loan; 5-year convertible term policy.* At any time after the expiration of the sixth policy year and before default in payment of any subsequent premium and upon execution of a loan agreement satisfactory to the Administrator, the United States will lend to the insured on the sole security of his United States Government life insurance policy on the 5-year convertible term plan any amount which shall not exceed 94 percent of the cash value, and any indebtedness shall be deducted from the amount advanced on such loan. The loan shall bear interest at a rate not to exceed 6 percent per annum, payable annually, and at any time before default in payment of premium, the loan may be repaid in full or in amounts of $5 or more. Failure to pay either the amount of the loan or the interest thereon shall not avoid the policy unless the total indebtedness shall equal or exceed the cash value thereof. When the amount of the indebtedness equals or exceeds the cash value, the policy shall cease and become void.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 6, 65 Stat. 35; 38 U. S. C. 11a, 426, 707, 855. Interpret or apply secs. 300, 301, 43 Stat. 624, as amended; 38 U. S. C. 511, 512)

2. In Part 8, paragraph (a) of § 8.28 is amended to read as follows:

§ 8.28 *Policy loan; other than 5-year level premium term policy.* (a) At any time after the expiration of the first policy year and before default in payment of any subsequent premium, and upon the execution of a loan agreement satisfactory to the Administrator, the United States will lend to the insured on the security of his National Service life insurance policy, on any plan other than 5-year level premium term, any amount which will not exceed 94 percent of the reserve, and any indebtedness on the policy shall be deducted from the amount advanced on such loan. Except as prescribed in paragraph (b) of this section, the loan shall bear interest at the rate of 5 per centum per annum, payable annually; and at any time before default in the payment of the premium, the loan may be repaid in full or in amounts of $5 or more. Failure to pay either the amount of the loan or the interest thereon shall not void the policy unless the total indebtedness shall equal or exceed the cash value thereof. When the amount of the indebtedness equals or exceeds the cash value, the policy shall cease and become void.

* * * * *

(Sec. 608, 54 Stat. 1012, as amended, sec. 6, 65 Stat. 35; 38 U. S. C. 808, 855. Interpret or apply sec. 602, 54 Stat. 1009, as amended; 38 U. S. C. 802)

This regulation is effective June 6, 1956.

[SEAL] JOHN S. PATTERSON,
Deputy Administrator.

[F. R. Doc. 56-4403; Filed, June 5, 1956; 8:47 a. m.]

PART 12—DISPOSITION OF VETERAN'S PERSONAL FUNDS AND EFFECTS

OPERATION OF LOST AND FOUND SERVICE

1. A new centerhead immediately following § 12.23 is added as follows: "Operation of Lost and Found Service."

2. A new § 12.24 is added as follows:

§ 12.24 *Operation of lost and found service.* Unless maintained by the Public Buildings Service, the lost and found service will be maintained by an employee designated by the Manager to be known as the lost and found custodian. VA Form 3771, Record of Lost or Found Article, will be used for recording articles of any personal property lost or found. Every effort will be made to determine rightful ownership of found articles and to recover items which have been reported lost. Currency, including readily negotiable instruments, found and delivered to the lost and found custodian will not be retained beyond the official closing hour. The currency or negotiable instruments will be delivered to the agent cashier before the close of business. Individuals claiming found articles will furnish complete identification and satisfy the station authority of rightful ownership. Where more than one individual claims ownership the matter will be referred to the Manager for decision.

All articles of personal property remaining unclaimed for 90 days or more will be disposed of in accordance with § 12.8.

(Sec. 10, 52 Stat. 1192, 55 Stat. 871; 38 U. S. C. 161, 17j)

This regulation is effective June 6, 1956.

[SEAL] JOHN S. PATTERSON,
Deputy Administrator.

[F. R. Doc 56-4404; Filed, June 5, 1956; 8:48 a. m.]

TITLE 44—PUBLIC PROPERTY AND WORKS

Chapter I—General Services Administration

PART 100—PUBLIC BUILDINGS AND GROUNDS

SUBPART B—SUPPLEMENTAL REGULATIONS

USE OF DEPARTMENTAL AUDITORIUM AND ADJACENT CONFERENCE ROOMS

Section 100.35 is revised to read as follows:

§ 100.35 *Use of Departmental Auditorium and adjacent conference rooms.* This section governs the use of the Departmental Auditorium and adjacent conference rooms, Constitution Avenue between Twelfth and Fourteenth Streets, NW., Washington, D. C.

(a) The Departmental Auditorium, and Conference Rooms A, B, and C adjacent thereto, are available only upon assignment. Assignments to any agency of the Federal Government, or of the Government of the District of Columbia, will be made from time to time upon application by such agency for the following uses:

(1) For meetings to carry out the assigned functions of the applying agency;

(2) For meetings of recognized employee groups (with a limited number of invited guests);

(3) For meetings (including meetings of civic or veterans organizations and professional, scientific, educational, and other similar societies or organizations) that are sponsored by, and closely related to the activities of, the applying agency and are conducted by or actively participated in by employees of the agency, at the direction of the head thereof or his duly authorized representative or are attended by such employees for the purpose of assisting them in better performing their official duties; and

(4) For the presentation to the public of lectures, concerts, or similar performances by the applying agency or at which its employees participate in an official capacity, or for the presentation of such a performance by a recognized employee group.

Such meetings or performances shall not in any event include those sponsored by profit-making organizations, those promoting commercial enterprises or commodities, or those having a political, sectarian, or similar nature or purpose.

(b) Each application for use of the auditorium or conference rooms will be submitted in writing by the head of the requesting agency, or his duly authorized representative, at least one week in advance of the use for which the assignment is requested. Each application for use should be addressed and delivered to the Manager, Triangle Area, General Services Administration Region 3, Wash-

ington 25, D. C., and shall include the following information:

(1) The name of the governmental agency requesting the assignment;

(2) The date on which assignment is requested, and the hours of contemplated use;

(3) The name and a brief description of the organization (whether government or private) proposing to conduct the scheduled meeting or performance;

(4) A brief description of the program of the scheduled meeting or performance;

(5) The approximate number of persons expected to attend the meeting or performance;

(6) In the case of a meeting of a group not composed predominantly of government employees, a statement that the meeting is to be conducted by government employees acting in an official capacity, or a list of the names and titles of the principal employees of the applying agency who, it is contemplated, will attend the meeting at the direction of that agency;

(7) A statement as to whether it is the intention to exhibit at the meeting or performance motion pictures or lantern slides and, if so, the size of the film (35 mm. or 16 mm.) or of the lantern slides; and

(8) Samples of any literature, folders, or posters to be distributed or exhibited at the meeting or performance.

(c) No program will be permitted to continue beyond midnight.

(d) Assignments will not be made, unless specifically justified, for Saturdays, Sundays, holidays, or other days during which the building is normally closed.

(e) No admission fee will be charged, no indirect assessment will be made for admission, and no collection will be taken. Commercial advertising or the sale of articles of any character will not be permitted.

(f) The serving or consumption of food or beverages within the auditorium or conference rooms will be prohibited.

(g) Smoking will be prohibited within the auditorium.

(h) If the projection of motion pictures or lantern slides is a part of the program, competent operators will be furnished by the General Services Administration on a reimbursable basis.

(i) Music racks, ushers, and attendants for checking wraps, if needed, will be furnished and paid for by the applying agency.

(j) Posting of any material about the premises will be subject to the approval of the General Services Administration building superintendent.

(k) All persons attending meetings or performances will be required to go directly to the auditorium or conference rooms and to leave by the most direct exit. They will be provided with tickets or other identification, except when the general public is invited. No one will be admitted to other parts of the building unless he possesses a properly signed pass.

(l) All persons attending meetings or performances will be subject to the "Rules and Regulations Governing Public Buildings and Grounds" issued by the Administrator of General Services.

(Sec. 2, 62 Stat. 281, as amended; 40 U. S. C. 318a)

Dated: June 1, 1956.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 56-4504; Filed, June 5, 1956; 11:57 a. m.]

PART 100—PUBLIC BUILDINGS AND GROUNDS

SUBPART B—SUPPLEMENTAL REGULATIONS

USE OF THE AUDITORIUM IN THE GENERAL SERVICES BUILDING

Sections 100.36 to 100.40 are revised and consolidated to read as follows:

§ 100.36 *Use of the Auditorium in the General Services Building.* This section governs the use of the auditorium in the General Services Building at Eighteenth and F Streets NW., Washington, D. C.

(a) The auditorium in the General Services Building is available only upon assignment. Assignments to any agency of the Federal Government, or of the Government of the District of Columbia, will be made when the auditorium is not required for the use of the General Services Administration, from time to time upon application by such agency for the following uses:

(1) For meetings to carry out the assigned functions of the applying agency;

(2) For meetings of recognized employee groups (with a limited number of invited guests);

(3) For meetings (including meetings of civic or veterans organizations and professional, scientific, educational, and other similar societies or organizations) that are sponsored by, and closely related to the activities of, the applying agency and are conducted by or actively participated in by employees of the agency, at the direction of the head thereof or his duly authorized representative or are attended by such employees for the purpose of assisting them in better performing their official duties; and

(4) For the presentation to the public of lectures, concerts, or similar performances by the applying agency or at which its employees participate in an official capacity, or for the presentation of such performance by a recognized employee group.

Such meetings or performances shall not in any event include those sponsored by profit-making organizations, those promoting commercial enterprises or commodities, or those having a political, sectarian, or similar nature or purpose.

(b) Each application for the use of the auditorium will be submitted in writing by the head of the requesting agency, or his duly authorized representative, at least one week in advance of the use for which the assignment is requested. Each application for use should be addressed and delivered to the Director, Administrative Facilities Division, Room 7334, General Services Building, Washington 25, D. C. (telephone Executive 3-4900, Government Dial Code 156, Extension 4595), and shall include the following information:

(1) The name of the governmental agency requesting the assignment;

(2) The date on which assignment is requested, and the hours of contemplated use;

(3) The name and a brief description of the organization (whether government or private) proposing to conduct the scheduled meeting or performance;

(4) A brief description of the program of the scheduled meeting or performance;

(5) The approximate number of persons expected to attend the meeting or performance;

(6) In the case of a meeting of a group not composed predominantly of government employees, a statement that the meeting is to be conducted by government employees acting in an official capacity, or a list of the names and titles of the principal employees of the applying agency who, it is contemplated, will attend the meeting at the direction of that agency;

(7) A statement as to whether it is the intention to exhibit at the meeting or performance motion pictures or lantern slides and, if so, the size of the film (35 mm. or 16 mm.) or of the lantern slides; and

(8) Samples of any literature, folders, or posters to be distributed or exhibited at the meeting or performance.

(c) No program will be permitted to continue beyond midnight.

(d) Assignments will not be made, unless specifically justified, for Saturdays, Sundays, Holidays, or other days during which the building is normally closed.

(e) No admission fee will be charged, no indirect assessment will be made for admission, and no collection will be taken. Commercial advertising or the sale of articles of any character will not be permitted.

(f) The serving or consumption of food or beverages within the auditorium will be prohibited.

(g) Smoking will be prohibited within the auditorium.

(h) If the projection of motion pictures or lantern slides is a part of the program, competent operators will be furnished by the General Services Administration on a reimbursable basis.

(i) Music racks, ushers, and attendants for checking wraps, if needed, will be furnished and paid for by the applying agency.

(j) Posting of any material about the premises will be subject to the approval of the General Services Administration building superintendent.

(k) All persons attending meetings or performances will be required to go directly to the auditorium, which has entrances on the first floor of the building and to leave by the most direct exit. They will be provided with tickets or other identification, except when the general public is invited. No one will be admitted to other parts of the building

unless he possesses a properly signed pass.

(i) All persons attending meetings or performances will be subject to the "Rules and Regulations Governing Public Buildings and Grounds" issued by the Administrator of General Services.

(Sec. 2, 62 Stat. 281, as amended; 40 U. S. C. 318a)

Dated: June 1, 1956.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 56-4505; Filed, June 5, 1956; 11:57 a. m.]

PART 100—PUBLIC BUILDINGS AND GROUNDS

SUBPART B—SUPPLEMENTAL REGULATIONS

USE OF THE THEATRE IN THE NATIONAL ARCHIVES BUILDING

A new § 100.37 is added to read as follows:

§ 100.37 *Use of the Theatre in the National Archives Building.* This section governs the use of the theatre in the National Archives Building at Eighth and Pennsylvania Avenue NW., Washington, D. C.

(a) The theatre in the National Archives Building was designed to be used for the furnishing of reference services on the motion picture holdings of the National Archives, and its facilities are utilized primarily for that purpose. Assignments to any other agencies of the Federal Government, to agencies of the Government of the District of Columbia, or to private organizations may be made, but only when the theatre is not required for the furnishing of reference services on those motion picture films or for other official use of the National Archives and Records Service. No application for the use of the theatre by either a Federal or District of Columbia agency or a private organization will be approved unless the purpose for which use is requested is related to the work of the National Archives and Records Service. Meetings in the theatre shall not in any event be sponsored by profit-making organizations, promote commercial enterprises or commodities, or have a political, sectarian, or similar nature or purpose.

(b) Each application for the use of the theatre will be submitted in writing by the head of the requesting agency or organization, or his duly authorized representative, at least one week in advance of the use for which the assignment is requested. Each application for use should be addressed and delivered to the Chief Archivist, Audio-Visual Records Branch, Room 607, National Archives Building, Washington 25, D. C. (telephone Republic 7-7500, Government Dial Code 151, Extension 6331), and shall include the following information:

(1) The name of the governmental agency or private organization requesting the assignment;

(2) The date on which assignment is requested, and the hours of contemplated use;

(3) A brief description of the program of the scheduled meeting or performance;

(4) The approximate number of persons expected to attend the meeting or performance (the capacity of the National Archives theatre is 216 persons);

(5) A statement as to whether it is the intention to exhibit at the meeting or performance motion pictures or lantern slides and, if so, the size of the film (35 mm. or 16 mm.) or of the lantern slides; and whether the film to be shown, if any, is on nitrate or safety base; and

(6) Samples of any literature, folders, or posters to be distributed or exhibited at the meeting or performance.

(c) No program will be permitted to continue beyond 10:00 p. m.

(d) Assignments will not be made, unless specifically justified, for Saturdays, Sundays, Holidays, or other days or at hours during which the building is normally closed.

(e) No admission fee will be charged, no indirect assessment will be made for admission, and no collection will be taken. Commercial advertising or the sale of articles of any character will not be permitted.

(f) The serving or consumption of food or beverages within the theatre will be prohibited.

(g) Smoking will be prohibited within the theatre.

(h) If the projection of motion pictures or lantern slides is a part of the program, competent operators will be furnished by the National Archives and Records Service on a reimbursable basis.

(i) Posting of any material about the premises will be subject to the approval of the General Services Administration building superintendent.

(j) All persons attending meetings or performances will be required to go directly to the theatre which is on the fifth floor of the building. No one will be admitted to other parts of the building closed to the general public.

(k) All persons attending meetings or performances will be subject to the "Rules and Regulations Governing Public Buildings and Grounds" issued by the Administrator of General Services.

(Sec. 2, 62 Stat. 281, as amended; 40 U. S. C. 318a)

Dated: June 1, 1956.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 56-4506; Filed, June 5, 1956; 11:57 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

STEAM RAILWAYS, SUPPLEMENT TO ANNUAL REPORT FORM A—CONSOLIDATED STATISTICAL STATEMENTS

At a general session of the Interstate Commerce Commission held at its office in Washington, D. C., on the 25th day of May A. D. 1956.

The matter of Annual Reports from Steam Railway Companies of Class I being under consideration, and, inasmuch as carriers affected by this order are thereby relieved of a regulation, rule-making procedure under section 4(a) of Administrative Procedure Act being deemed unnecessary:

It is ordered, That the order dated February 28, 1950, in the matter of Annual Reports from Steam Railway Companies be, and it is hereby, vacated and set aside, insofar as it may require the filing of consolidated statistical statements for the year 1955 and subsequent years;

It is further ordered, That § 120.11a *Consolidated statistical statements supplemental to annual report prescribed for large and medium steam railways* be, and the same is hereby, cancelled and deleted in its entirety;

It is further ordered, That this order shall not affect the requirement that consolidated statistical statements be filed for the year 1954 and for previous years; and

It is further ordered, That a copy of this order shall be served upon every Class I steam railroad (except switching and terminal companies) subject to Part I of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator, or assignee of any such steam railroad; and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U. S. C. 12, 904. Interprets or applies sec. 20, 24 Stat. 386, as amended, 54 Stat. 944; 49 U. S. C. 20, 913)

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 56-4411; Filed, June 5, 1956; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

FROZEN SPINACH

EXTENSION OF TIME

Proposed revised United States Standards for Grades of Frozen Spinach were set forth in the notice which was published in the FEDERAL REGISTER on April 24, 1956 (21 F. R. 2624).

In consideration of comments and suggestions received indicating the need for further study of the proposed changes, notice is hereby given of an extension until December 31, 1956, of the period of time within which written data, views, and arguments may be submitted by in-

terested parties for consideration in connection with the aforesaid proposed revised United States Standards for Grades of Frozen Spinach.

Dated: June 1, 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 56-4424; Filed, June 5, 1956; 8:52 a. m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR (1954) Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953; ESTATES, TRUSTS, BENEFICIARIES, AND DECEDENTS

NOTICE OF EXTENSION OF TIME

The proposed regulations under sections 641 through 663 and section 683 of the Internal Revenue Code of 1954 were published with a notice of proposed rule making in the FEDERAL REGISTER for Wednesday, May 2, 1956. This notice provided that consideration would be given to any data, views, or arguments pertaining thereto which were submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T: P, Washington 25, D. C., within the period of 30 days from the date of publication in the FEDERAL REGISTER.

Notice is hereby given that the 30-day period previously allowed is extended, and consideration will be given to any data, views, or arguments pertaining to these proposed regulations that are submitted by Monday, June 25, 1956.

[SEAL] RUSSELL C. HARRINGTON,
Commissioner of Internal Revenue.

JUNE 4, 1956.

[F. R. Doc. 56-4454; Filed June 5, 1956; 8:55 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Economic Regs., Draft Releases 81A, 82A]

REVISED UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

CERTAIN IMPORTANT PROVISIONS TO BE MADE IMMEDIATELY EFFECTIVE; PRESCRIPTION OF DEPRECIATION ACCOUNTING PRACTICES

In the notice of proposed rule-making on these matters, published in the FEDERAL REGISTER on May 15, 1956 (21 F. R. 3188, 3192), it was stated that the Board would consider all relevant matter in communications received on or before the 30th day following the date of such publication. The ATA, acting on behalf of itself and its members, has requested the Board to extend the date by which comments must be filed for an additional period of 45 days. This request was predicated upon the alleged need for additional time in order to permit the formulation of a single set of comments embodying the concerted views of all interested air carriers.

Draft Release 81 proposed that several significant features of the New Manual of Accounts (which becomes effective January 1, 1957) be made effective immediately. Draft Release 82, which prescribes the use of the straight-line method of depreciation and uniform depreciation rates for specified classes of equipment, has also been integrated with the present manual so that it would be made effective prior to January 1, 1957. Plainly then, time is of the essence of the proposals contained in these two draft releases. Moreover, Draft Release 81 does not contain any new matter and the industry has already presented extensive legal argument concerning the subject matter of Draft Release 82. Finally, these two notices were circulated to the industry two weeks in advance of the date of their publication in the FEDERAL REGISTER.

In view of these circumstances, there appears to be little justification for extending time for filing comments to July 30, 1956. However, a meeting of the Air Line Finance and Accounting Conference is scheduled to be held on June 6, 7 and 8, 1956. Therefore, the Board has decided to afford the industry an additional three weeks time following the close of such meetings for submission of comments.

Accordingly, the third sentence of the last paragraph of each of the aforementioned notices is amended to read as follows: "All communications received on or before June 30, 1956 will be considered by the Board before taking action upon the proposed rule."

Dated: May 31, 1956.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 56-4431; Filed, June 5, 1956; 8:53 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case No. 210]

JERRY WILLIAMS & CO. ET AL.

ORDER REVOKING EXPORT LICENSES AND DENYING EXPORT PRIVILEGES AS TO SOME RESPONDENTS AND CENSURING ANOTHER RESPONDENT

In the matter of Jerry Williams & Co., Hong Kong, Lau Yiu Chuen, 326 Prince's Building, Hong Kong, Pan-Mar Corporation, 1270 Broadway, New York 1, New York, respondents; Case No. 210.

The respondents, Jerry Williams & Co. and Lau Yiu Chuen, both of Hong Kong; and Pan-Mar Corporation, of the City and State of New York, were charged by the Director, Investigation Staff, Bureau of Foreign Commerce, with having violated the Export Control Act of 1949, as amended, in that, as alleged, (a) Williams, without authorization from the Bureau of Foreign Commerce, transshipped to Communist China, fifty multimeters exported from the United States to Hong Kong under a validated license; (b) Chuen made false representations to the Bureau of Foreign Commerce as to the intended disposition and end use of these multimeters or failed to disclose to his supplier, Pan-Mar, a change of facts or intentions with respect to the transaction for which the Bureau of Foreign Commerce had granted the license; and (c) that Pan-Mar filed a second application for an export license for the fifty multimeters after it had filed a previous application for a license to export two hundred multimeters, including said fifty multimeters and also failed to endorse or have endorsed "ultimate destination-antidiversion" warnings on the invoices and air waybills relating to its exportation of said fifty multimeters. The charging letter was served on all respondents. Williams defaulted in appearance and answer. Chuen answered, denying the charges and asserting he had sold the multimeters to Williams, an allegedly registered trader in Hong Kong. Pan-Mar answered, denying that the second application involved multimeters included in the first application and claiming it was for a new order; and, while admitting that the "ultimate destination-antidiversion" warnings had been omitted from the invoices and air waybills, claimed that, as to the invoices it was an excusable oversight and, as to the air waybills, the omission was that of its freight forwarder whom it had hired in good faith and paid a fee to procure the documentation.

The Compliance Commissioner, to whom the charges were referred pursuant to § 382.4 of the export control regulations, has filed a report finding that violations have been committed and has recommended that remedial action be taken against the respondents.

Now, after reviewing the entire record and considering the report of the Compliance Commissioner, I hereby make the following findings of fact:

1. At all times hereinafter mentioned Jerry Williams & Co. and Lau Yiu Chuen were engaged in the import and export business in Hong Kong, and Pan-Mar Corporation was engaged in the export business in the City of New York, New York.

2. On or about the 28th day of December 1953, Pan-Mar, having received an order for two hundred multimeters from

Chuen, filed an application for a license to export them to him in Hong Kong.

3. Thereafter, on or about the 2nd day of February 1954, Chuen sent Pan-Mar an ultimate consignee statement in which he stated and represented, with the intention that it be submitted to the Bureau of Foreign Commerce in support of an export license application, that fifty multimeters were being purchased by him for resale to "radio-electric service-men and Government approved radio and electrical dealers in Hongkong" for use in "Radio and Electric shops Servicing & Testing Purposes" in Hong Kong. At the same time, he notified Pan-Mar that these fifty multimeters were part of the order for two hundred multimeters and that he hoped to complete this order. In the said ultimate consignee statement he represented to the Bureau of Foreign Commerce that he would promptly send to Pan-Mar a supplemental statement disclosing any change of facts or intentions set forth therein and would notify Pan-Mar and secure the United States Government's approval through Pan-Mar prior to the disposal of the multimeters contrary to the representations made therein.

4. Thereafter, on the 10th day of February 1954, Pan Mar filed a new application for a license to export fifty multimeters to Chuen, annexing thereto the ultimate consignee statement signed by Chuen and did not disclose that the prior application had been filed or that these fifty multimeters were included in the two hundred multimeters therein mentioned.

5. The Bureau of Foreign Commerce thereafter issued an export license authorizing the exportation to Chuen in Hong Kong of the fifty multimeters for the purposes set forth in the ultimate consignee statement.

6. On March 23, 1954 and April 1, 1954, Pan-Mar exported, in two shipments, the total fifty multimeters to Chuen in Hong Kong but, contrary to the requirements of the export control regulations, failed and omitted to endorse or have endorsed on the air waybills or its commercial invoices to Chuen the prescribed notice warning all persons that the commodities had been licensed for exportation to Hong Kong as the place of ultimate destination and that diversion contrary to United States law was prohibited.

7. Prior to arranging for shipment by Pan-Mar by air freight, Chuen sold these fifty multimeters to Williams, who is not and was not a radio or electrical dealer, service enterprise or shop but, on the contrary, was an export trader, and Chuen failed and omitted to notify Pan-Mar or the Bureau of Foreign Commerce of this fact, which was a change of facts from those set forth in the ultimate consignee statement.

8. Williams thereafter, with knowledge that the multimeters had been exported from the United States and that diversion thereof, from Hong Kong to Communist China was prohibited, transshipped them to Shanghai.

And from the foregoing, the following are my conclusions:

A. Chuen, contrary to representations made by him to the Bureau of Foreign Commerce and contrary to the terms of an export license issued on the basis of such representations, knowingly sold and delivered the commodities involved to a person and for a purpose other than the persons and purposes set forth by him in his representations, in violation of § 381.6 of the export control regulations.

B. Chuen either knowingly made false representations as to the end use of the commodities involved or, with knowledge that the end use had been changed, failed to notify the Bureau of Foreign Commerce, through his supplier, thereof, in violation of § 381.5 of the export control regulations.

C. Williams knowingly diverted and transshipped the commodities involved from Hong Kong to Communist China in violation of §§ 381.6 and 384.5 of the export control regulations.

D. Pan-Mar, in violation of § 372.5 of the export control regulations, submitted a second application covering the same proposed exportation pending action on a first application and further, in violation of § 379.10 (c) of the said regulations, prepared commercial invoices and procured air waybills relating to the exportations involved herein without having endorsed thereon the required Destination Control Notices.

In his report, the Compliance Commissioner, after noting the mitigating factors claimed by Pan-Mar, as already set forth above and in addition, its prior excellent reputation and co-operation with the Bureau of Foreign Commerce, said:

> Pan-Mar, except for one operating individual, * * * is a corporate device for handling miscellaneous small exportations. [This individual] handled all phases of the acts involved and he was duly authorized so to do by Pan-Mar which entrusted the entire operation to him. It is responsible for his acts. * * * Pan-Mar is responsible also for the failure of its forwarder to endorse on the bills of lading the destination control notice. The duty imposed on the exporter cannot be delegated and effective enforcement of the act could not be attained if an exporter were to be absolved of responsibility merely because he made a contractual arrangement with another to perform the acts the responsibility for which was placed on him by law.
>
> However, after careful consideration of the entire case, taking cognizance of all the mitigating factors already mentioned, it is my recommendation that the remedial action to be taken against Pan-Mar be limited to a censure. Chuen made a deliberately false representation or, by failing to disclose his contract to sell to Williams, made a deliberate concealment. His correspondence, as already noted, is in the pattern of informed transshippers. He should be denied export privileges so long as export controls are in effect. Williams, as a direct transshipper to Communist China, also should be denied export privileges so long as export controls are in effect. His direct transshipment to Communist China, coupled with his failure to answer interrogatories duly propounded, makes it imperative to take the maximum remedial action against him.

Having concluded that the recommendation of the Compliance Commissioner is fair and just, and being of the opinion that the action hereinafter provided is necessary to achieve effective enforcement of the law; *It is hereby ordered:*

I. Pan-Mar Corporation be, and it hereby is censured for failing and omitting to comply with and to observe the requirements of the export control regulations in that (a) it submitted a second application for a validated export license while a prior application was pending for a validated license to export the same commodities, (b) did not endorse the "ultimate destination-antidiversion" warning on invoices relating to exportations from the United States and (c) did not have its forwarder endorse such warning on the air waybills under which the exportations were made.

II. All outstanding validated export licenses in which Jerry Williams & Co. or Lau Yiu Chuen appears or participates as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation.

III. Henceforth, and so long as export controls shall be in effect, the respondents Williams and Chuen are hereby suspended from and denied all privileges of participating, directly or indirectly in any manner or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination, including Canada, whether such exportation has heretofore or hereafter been completed. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation by either of said respondents, directly or indirectly in any manner or capacity, (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control documents, (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (d) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

IV. Such denial of export privileges shall extend not only to each of the said respondents, Williams and Chuen, but also to any person, firm, corporation, or business organization with which either of them may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade in which may be involved exports from the United States or services connected therewith.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, during any time when either respondent, Williams or Chuen, is prohibited under the terms hereof from engaging in any activity within the scope of Part III hereof, shall, without prior disclosure to, and specific authorization from the Bureau of Foreign Commerce, directly or indirectly in any manner or capacity (a) apply for, obtain, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity, (b) order, receive, buy, use, dispose of, finance, transport or forward, any commodity on behalf of or in any association with such respondent, or (c) do any of the foregoing acts with respect

to any commodity or exportation in which such respondent may have an interest of any kind or nature, direct or indirect.

Dated: June 1, 1956.

JOHN C. BORTON,
Director,
Office of Export Supply.

[F. R. Doc. 56-4414; Filed, June 5, 1956; 8:50 a. m.]

[Case No. 212]

EXPORT ELEKTROTECHNISCHER ERZEUGNISSE AND ELECTROEXPORT

ORDER REVOKING EXPORT LICENSES AND DENYING EXPORT PRIVILEGES

In the matter of Export Elektrotechnischer Erzeugnisse and Albert Obermayr trading as Electroexport, Rotenturmstrasse 25, Vienna 1, Austria, Respondents; Case No. 212.

Export Elektrotechnischer Erzeugnisse and Albert Obermayr, doing business under the firm name and style of Electroexport, in Vienna, Austria, hereinafter referred to as the respondents, were charged by the Director, Investigation Staff, Bureau of Foreign Commerce of the Department of Commerce, with having violated the Export Control Act of 1949, as amended, in that, as alleged, (a) they made false representations and concealed material facts as to the consignee and the place of ultimate destination of paraffin wax obtained from the United States and (b) they transshipped such paraffin wax from Hamburg, Germany, to Gdynia, Poland, for Taku Bar, China, without prior authorization by or disclosure to the Bureau of Foreign Commerce, after designating a firm in Vienna, Austria, the purchaser and ultimate consignee. They duly answered the charges, admitted the transshipment, denied that their representations had been false in the inception, and interposed numerous defenses, alleging, (a) that they did not know American regulations were being violated; (b) that the wax was of no strategic value and they believed it could be reexported; and (c) that the Austrian regulations had not been violated.

In accordance with the practice, this case was referred to the Compliance Commissioner. After the evidence was submitted, the Compliance Commissioner in due course made his report and recommendation, which, upon the facts as hereinafter found, appears to be fair and just and is therefore adopted.

Now, after considering the entire record consisting of the charges, the answer of the respondents, the evidence submitted in support of the charges and the report and recommendation of the Compliance Commissioner, I hereby make the following findings of fact:

1. At all times hereinafter mentioned Export Elektrotechnischer Erzeugnisse and Albert Obermayr, hereinafter referred to as respondents, were engaged in the import and export business in Vienna, Austria, under the firm name and style of Electroexport.

2. Prior to the 27th day of June 1955, respondents had made arrangements for the sale or handling by them of a sale of 15 metric tons of paraffin wax intended for shipment to Taku Bar, China.

3. On the 27th day of June 1955, respondents ordered said 15 tons of paraffin wax from a supplier in the United States.

4. Thereafter the American supplier informed respondents that, for the purpose of complying with the regulations, respondents would have to furnish an end-use statement confirming that the wax would be used in Austria or Western Europe and naming the ultimate destination of the wax and the use to which it was to be put. The American supplier at the same time stated that without this information "the factory would not be permitted to ship."

5. In response to this demand and, despite the fact that respondents had already sold this wax to or were acting for a buyer in Taku Bar, China, they certified to the American supplier that they had sold it to a shoe polish manufacturer in Vienna who intended to use it in the manufacture of his products.

6. The shoe polish manufacturer had never agreed to purchase any wax from the respondents.

7. Thereafter, on or about September 29, 1955, in reliance on respondents' statements of end-use and destination, the American supplier exported 15 tons (350 cartons) of wax to the respondents, at Hamburg, and, for the purpose of supporting such exportation, presented to and had authenticated by the United States Customs, an export declaration in which the respondents were named as purchaser and Vienna, Austria, was named as the place and country of ultimate destination.

8. The respondents thereafter instructed their agent in Hamburg to remark the packages and transship them to their representative or associate in Gdynia, Poland. Acting upon these instructions and, having received from the respondents the bill of lading relating to the shipment from the United States, respondents' agent in Hamburg then altered the marks on the packages and loaded them aboard a vessel which sailed to Gdynia, Poland.

And, from the foregoing, the following are my conclusions:

A. Respondents, in violation of § 381.5 of the export control regulations, knowingly made false statements concerning the ultimate consignee and ultimate destination of paraffin wax purchased by them for exportation from the United States and concealed from their supplier and, through him, from the Bureau of Foreign Commerce the fact that the wax was intended to be shipped to Taku Bar, China;

B. Respondents, in violation of § 381.6 of the export control regulations, knowingly transshipped or caused to be transshipped, the said wax to a Communist controlled destination, such destination not having been authorized by the Bureau of Foreign Commerce and being a destination other than that to which the wax had been consigned lawfully and in accordance with respondents' prior representations to their supplier in the United States.

The Compliance Commissioner has recommended the remedial action hereinafter provided. Having concluded that the recommended action is fair, just, and necessary to achieve effective enforcement of the law: *It is hereby ordered:*

I. All outstanding validated export licenses in which Export Elektrotechnischer Erzeugnisse or Albert Obermayr or the firm Electroexport appears or participates as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation.

II. Henceforth, and for the duration of export controls, the said respondents be, and they hereby are suspended from and denied all privileges of participating, directly or indirectly, in any manner or capacity, in an exportation of any commodity or technical data from the United States to any foreign destination, including Canada, whether such exportation has heretofore or hereafter been completed. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation by a respondent, directly or indirectly, in any manner or capacity, (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control documents, (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (d) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

III. Such denial of export privileges shall extend not only to the respondents, but also to any person, firm, corporation, or business organization with which they may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade in which may be involved exports from the United States or services connected therewith.

IV. Upon condition that the respondents comply in all respects with this order, and with all other requirements of the Export Control Act of 1949, as amended, and all regulations promulgated thereunder, commencing two years following the date hereof, they may engage in and enjoy all export privileges permitted by United States laws and regulations.

V. The privileges conditionally restored to any respondent under Part IV hereof, may be revoked summarily and without notice upon a finding by the Director of the Office of Export Supply, or such other official as may at that time be exercising the duties now exercised by him, that such respondent has, at any time following the date hereof, knowingly failed to comply with any of the conditions or provisions upon which or whereby, by Part IV hereof, he has been permitted to engage in any phase of the export business otherwise denied to him

under Part II hereof, without prejudice to any other action which may be taken by reason of any such new or additional violation. In the event that it be so determined that a respondent has breached the conditions of Part IV hereof, the suspension and denial of his export privileges shall be deemed to commence on the day of such determination and shall continue thereafter for the duration of export controls.

VI. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, during any time when any respondent is prohibited under the terms hereof from engaging in any activity within the scope of Part II hereof, shall, without prior disclosure to, and specific authorization from the Bureau of Foreign Commerce, directly or indirectly, in any manner or capacity, (a) apply for, obtain, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity, (b) order, receive, buy, use, dispose of, finance, transport or forward, any commodity on behalf of or in any association with such respondent, or (c) do any of the foregoing acts with respect to any commodity or exportation in which such respondent may have any interest of any kind or nature, direct or indirect.

Dated: June 1, 1956.

JOHN C. BORTON,
Director,
Office of Export Supply.

[F. R. Doc. 56-4415; Filed, June 5, 1956; 8:50 a. m.]

Federal Maritime Board

[Docket Nos. S-57, S-60]

STATES MARINE CORP. AND ISBRANDTSEN CO., INC.

NOTICE OF ORAL ARGUMENT

There is currently pending before the Board appeals from rulings of the presiding officers in the above entitled proceedings concerning (1) demands for certain traffic data, (2) the question of whether information relating to applicants' foreign flag operations and affiliations is pertinent to and should be produced in proceedings before the Board under section 605 (c) of the Merchant Marine Act, 1956, and (3) demands for certain miscellaneous data.

The Board will hear oral argument on these matters at 10:00 a. m., e. d. s. t., on June 20, 1956, at Room 4519 New General Acounting Office Building, Fifth and G Streets NW., Washington, D. C.

Interested parties (including parties of record in the dockets cited above) desiring to be heard should communicate with the Secretary, Federal Maritime Board, before June 18, 1956, requesting time.

Dated: May 31, 1956.

By order of the Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 56-4432; Filed, June 5, 1956; 8:54 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[68928]

MONTANA

PARTIALLY REVOKING DEPARTMENTAL ORDER OF JUNE 22, 1912, CREATING POWER SITE RESERVE NO. 275

MAY 31, 1956.

By virtue of the authority vested in the Secretary of the Interior by section 13 of the act of June 25, 1910, c. 431 (36 Stat. 858; 43 U. S. C. 148), and pursuant to Departmental Order No. 2583, section 2.22 (a) of August 16, 1950, it is ordered as follows:

The departmental order of June 22, 1912, creating Power Site Reserve No. 275, is hereby revoked so far as it affects the following-described lands:

MONTANA—PRINCIPAL MERIDIAN

T. 36 N., R. 14 W.,
Sec. 5, lots 2, 3, 4, SW¼NE¼, S½NW¼, and SW¼;
Sec. 6, lots 1 and 2, and E½SE¼;
Sec. 7, lot 4, E½E½, SE¼SW¼, and SW¼SE¼;
Sec. 8, NW¼ and W½SW¼;
Sec. 18, lot 1, N½NE¼, and NE¼NW¼.
T. 37 N., R. 14 W.,
Sec. 30, SW¼SW¼;
Sec. 31, SW¼NE¼, NW¼, NE¼SW¼, and SE¼;
Sec. 32, NW¼SW¼ and S½S½;
Sec. 33, NE¼SW¼, S½SW¼, and SE¼.
T. 36 N., R. 15 W.,
Sec. 12, SE¼SW¼ and S½SE¼;
Sec. 13, N½, SW¼, and NW¼SE¼;
Sec. 14, SE¼NE¼ and SE¼;
Sec. 22, lots 3, 4, and NE¼SE¼;
Sec. 23, NE¼, NE¼NW¼, S½NW¼, and N½SW¼, SW¼SW¼, and NW¼SE¼;
Sec. 24, NW¼NW¼.
T. 37 N., R. 15 W.,
Sec. 25, SW¼, W½SE¼, and SE¼SE¼;
Sec. 26, NE¼SW¼, S½SW¼, and SE¼;
Sec. 27, S½SE¼;
Sec. 33, NE¼SE¼ and S½SE¼;
Sec. 34, NE¼, NE¼NW¼, S½NW¼, SW¼, and NW¼SE¼;
Sec. 35, N½NW¼ and SW¼NW¼;
Sec. 36, N½NE¼.

The areas described aggregate 5,068 acres.

The relased lands are within the boundaries of the Blackfeet Indian Reservation.

This order shall be known as Power Site Restoration No. 520.

DEPUE FALCK,
Acting Director.

[F. R. Doc. 56-4394; Filed, June 5, 1956; 8:45 a. m.]

Bureau of Reclamation

OPAL PROJECT, WYOMING

ORDER OF REVOCATION

APRIL 25, 1956.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954 (19 F. R. 5004), I hereby revoke Departmental Order of July 8, 1941; insofar as said orders affect the following described lands; *Provided, however,* That such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the lands hereinafter described.

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 22 N., R. 116 W.,
Sec. 7, Lots 2, 3, and 4;
Sec. 21, Lot 6 and SW¼SE¼;
Sec. 22, Lot 3;
Sec. 27, SE¼SW¼.
T. 22 N., R. 117 W.,
Sec. 1, Lots 5 and 6;
Sec. 2, Lots 5 and 6, S½NE¼ and N½SE¼.
T. 23 N., R. 117 W.,
Sec. 3, SE¼SW¼;
Sec. 35, S½NE¼, SE¼NW¼ and SE¼;
Sec. 36, Lots 5, 6, and 7.

The above areas aggregate 794.91 acres.

E. G. NIELSEN,
Assistant Commissioner.

[71774]

MAY 29, 1956.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The released lands have been patented.

EDWARD WOOZLEY,
Director,
Bureau of Land Management.

[F. R. Doc. 56-4395; Filed, June 5, 1956; 8:45 a. m.]

COLORADO RIVER STORAGE PROJECT, UTAH

ORDER OF REVOCATION

APRIL 27, 1956.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954 (19 F. R. 5004), I hereby revoke Departmental Order of July 28, 1916, insofar as said order affects the following described lands: *Provided, however,* That such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the lands hereinafter described:

UINTAH SPECIAL MERIDIAN, UTAH

T. 5 S., R. 3 E.,
Sec. 5, Lots 1, 2, 3 and 5;
Sec. 6, Lots 3 to 10, incl., SE¼NW¼, NE¼SW¼;
Sec. 7, Lots 1, 2, 3, 4, 6, 7, 8, 12, 13;
Sec. 8, Lot. 1.

The above areas aggregate 839.95 acres.

E. G. NIELSEN,
Assistant Commissioner.

[71819]

MAY 31, 1956.

I concur. The released lands have been patented without a reservation of minerals to the United States.

DEPUE FALCK,
Acting Director,
Bureau of Land Management.

[F. R. Doc. 56-4396; Filed, June 5, 1956; 8:46 a. m.]

WEBER BASIN PROJECT, UTAH

FIRST FORM RECLAMATION WITHDRAWAL

MAY 19, 1955.

Pursuant to the authority delegated by Departmental Order No. 2765 of July

30, 1954, I hereby withdraw the following described lands from public entry; under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

SALT LAKE BASE AND MERIDIAN, UTAH

T. 7 N., R. 2 W.,
Sec. 5: E½SW¼ and SE¼ (unsurveyed);
Sec. 8: NE¼, E½W½ and SE¼ (excluding lots 1, 2 and 3, and SE¼SE¼) (unsurveyed).

The above areas contain approximately 567 acres.

E. G. NIELSEN,
Acting Commissioner.

[Utah 015377]

MAY 31, 1956.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The lands shall be administered by the Bureau of Land Management until such time as they are needed for reclamation purposes.

DEPUE FALCK,
Acting Director,
Bureau of Land Management.

Notice for Filing Objections to Order Withdrawing Public Lands for the Weber Basin Project, Utah

Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the State of Utah for use in connection with the proposed Weber Basin Project may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

E. G. NIELSEN,
Acting Commissioner.

[F. R. Doc. 56-4397; Filed, June 5, 1956; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

KANSAS

DISASTER ASSISTANCE; DELINEATION OF DROUGHT AREA

Pursuant to Public Law 875, 81st Congress, the President determined on August 26, 1954, that a major disaster occasioned by drought existed in the State of Kansas.

Pursuant to the authority delegated to me by the Administrator, Federal Civil Defense Administration (18 F. R. 4609; 19 F. R. 2148, 5364; 20 F. R. 4664), and for the purposes of section 2 (d) of Public Law 38, 81st Congress, as amended by Public Law 115, 83d Congress, and section 301 of Public Law 480, 83d Congress, Morton County, Kansas, was determined on May 25, 1956, to be affected by the above-mentioned major disaster.

Done at Washington, D. C., this 1st day of June 1956.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 56-4429; Filed, June 5, 1956; 8:53 a. m.]

NEW MEXICO

DISASTER ASSISTANCE; DELINEATION OF DROUGHT AREAS

Pursuant to Public Law 875, 81st Congress, the President determined on February 27, 1956, that a major disaster occasioned by drought existed in the State of New Mexico.

Pursuant to the authority delegated to me by the Administrator, Federal Civil Defense Administration (18 F. R. 4609; 19 F. R. 2148, 5364; 20 F. R. 4664), and for the purposes of section 2 (d) of Public Law 38, 81st Congress, as amended by Public Law 115, 83d Congress, and section 301 of Public Law 480, 83d Congress, the following counties and parts of counties in the State of New Mexico were determined on May 23, 1956, to be affected by the above-mentioned major disaster.

NEW MEXICO

Catron, Chaves, Colfax, Dona Ana, Eddy, Grant, Hidalgo, Lea, Lincoln, Luna, Otero, Sandoval, Sierra, Socorro.

Bernalillo County except that area therein known as the Rio Grande Conservancy District.

That portion of Union County lying west of the range line between ranges 32 and 33, except that area known as the Rio Grande Conservancy District.

All that part of McKinley and Valencia Counties lying east of the Continental Divide.

Done at Washington, D. C., this 1st day of June 1956.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 56-4430; Filed, June 5, 1956; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6685]

PACIFIC POWER & LIGHT CO.

NOTICE OF APPLICATION SEEKING AUTHORITY TO ISSUE STOCK

MAY 31, 1956.

Take notice that on May 25, 1956, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Pacific Power & Light Company ("Applicant"), a corporation organized under the laws of the State of Maine and doing business in the States of Oregon, Washington, Wyoming, Montana and Idaho, with its principal business office at Portland, Oregon, seeking an order authorizing the issuance of 341,550 shares of its Common Stock of the par value of $6.50 per share. Applicant proposes to offer to the holders of its presently outstanding Common Stock of record at the close of business on July 11, 1956, the right to subscribe, at a price to be fixed by Applicant shortly before the date of offering, for an aggregate of 341,550 shares of its presently authorized but unissued Common Stock at the rate of one share of additional Common Stock for each ten shares of Applicant's Common Stock held of record. Such right to subscribe will be evidenced by transferable subscription warrants which will be expressed in terms of rights, and ten rights plus the full subscription price will be required to subscribe for each share of additional Common Stock. Applicant proposes publicly to invite competitive bids for the purchase from it, at the same price at which shares of the additional Common Stock are to be offered to stockholders, such of the additional Common Stock as shall not be subscribed for by Warrant holders.

A person desiring to be heard or to make any protest with reference to said application should on or before the 21st day of June 1956, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file and available for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-4416; Filed, June 5, 1956; 8:51 a. m.]

[Docket No. E-6686]

SOUTHERN NEVADA POWER CO.

NOTICE OF APPLICATION SEEKING AUTHORITY TO ISSUE STOCK

MAY 31, 1956.

Take notice that on May 28, 1956, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Southern Nevada Power Co. ("Applicant"), a corporation organized under the laws of the State of Nevada and doing business in said State, with its principal office at Las Vegas, Nevada, seeking an order authorizing the issuance and sale of 175,000 shares of its Common Stock, par value $1.00 per share, and to exempt such issuance and sale from the Commission's competitive bidding requirements. Applicant proposes to issue said stock on or about July 3, 1956, and to sell said stock to a group of underwriters represented by William R. Staats & Co. of Los Angeles, California.

Any person desiring to be heard or to make any protest with reference to said application should on or before the 21st day of June 1956, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance

with the Commission's rules of practice and procedure. The application is on file and available for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-4417; Filed, June 5, 1956; 8:51 a. m.]

[Docket No. G-9225, etc.]

ARKANSAS FUEL OIL CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

MAY 29, 1956.

In the matter of Arkansas Fuel Oil Corporation, Docket No. G-9225 and G-9789; Austin E. Stewart, Docket No. G-4119 and G-9845; Arkansas Fuel Oil Corporation and Stanolind Oil and Gas Company, Docket No. G-5714 and G-9846.

On January 3, 1956, Arkansas Fuel Oil Corporation (Arkansas Fuel) filed an application at Docket No. G-9846 pursuant to section 7 (b) of the Natural Gas Act to abandon service to Arkansas Louisiana Gas Company (Arkansas Louisiana) from three gas units located in the Willow Springs Field, Gregg County, Texas. The application at Docket No. G-9846 was amended on April 9, 1956. The three units involved were covered by previous filings of Arkansas Fuel as follows:

Docket No.; Gas Unit; and Status

G-2712, P. D. Harrison C-1 (one of several sales); Certificate issued 12-31-54.

G-6872, J. C. McKinley, et al., Unit E; Certificate issued 6-27-55.

G-9225, Taylor W. Lee "B"; Temporary certificate issued 9-12-55. No permanent certificate.

In the amendment of April 9, 1956, at Docket No. G-9846, Arkansas Fuel included Stanolind Oil and Gas Company's request to abandon service from the above three units to Arkansas Louisiana. Said amendment includes a letter from Stanolind authorizing Arkansas Fuel to file for the abandonment of Stanolind's sales previously applied for by Stanolind at Docket No. G-5714.

On January 3, 1956, Austin E. Stewart (Stewart) filed an application at Docket No. G-9845 to abandon service to Arkansas Louisiana with respect to his share of the gas produced from the aforementioned P. D. Harrison C-1 unit pursuant to section 7 (b) of the act. The service proposed to be abandoned by Stewart was previously applied for at Docket No. G-4119.

On December 19, 1955, Arkansas Fuel, as Operator, filed an application for a certificate of public convenience and necessity at Docket No. G-9789 to sell natural gas to Texas Eastern Transmission Corporation from the F. K. Lathrop Gas Unit, Willow Springs Field, Gregg County, Texas, pursuant to a contract dated December 9, 1955.

On April 9, 1956, Arkansas Fuel amended its application at Docket No. G-9789 to bring within the scope of said application the three units proposed to be abandoned at Docket No. G-9846. By an amendatory agreement dated March 29, 1956, Arkansas Fuel rededicates the said three units to the December 9, 1955, contract with Texas Eastern.

Arkansas Fuel in its original abandonment application at Docket No. G-9746 states that the present purchaser, Arkansas Louisiana, apparently does not need the gas from the three units involved. Arkansas Fuel cites that Arkansas Louisiana is selling gas to Texas Eastern in nearby North Lansing Field, Harrison County, Texas, in addition to selling gas to other purchasers in the north Louisiana area. In this connection, Arkansas Louisiana has applied at Docket No. G-9820 to sell so-called "excess gas" to Texas Eastern in the North Lansing Field in the amount of 15,000 Mcf per day on a firm basis for a period of 15 years. Also, in Docket No. G-9739, Arkansas Louisiana applied to sell so-called "excess gas" to Tennessee Gas Transmission Company in the amount of 20,000 Mcf per day on a firm basis and up to 30,000 Mcf per day additional on an interruptible basis for a period of three years in the Carthage Field, Texas. Furthermore, Arkansas Louisiana is taking less than the allowables as established by the Railroad Commission of Texas from the three units while other pipeline purchasers are taking their allowables from the same reservoir, causing economic loss to Arkansas Fuel, its lessors and royalty owners. Texas Eastern has agreed to take up to the established allowables, thus increasing the daily supply of gas to the general public to an amount greater than that which is presently being made available from the subject three gas units. In the amendment filed April 9, 1956, at Docket No. G-9746, Arkansas Fuel states that since the filing of the original abandonment application, Arkansas Louisiana, during February 1956, drastically reduced its daily purchase of gas from each producing horizon in the three subject gas units to such an extent that the daily gas production was considerably below the established allowables.

By letter filed April 27, 1956, Arkansas Louisiana stated it will not oppose the abandonment of service from the three subject units.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 29, 1956, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 14, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-4399; Filed, June 5, 1956; 8:46 a. m.]

[Project No. 2201]

PACIFIC NORTHERN TIMBER CO.

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

MAY 31, 1956.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U. S. C. 791a-825r) by Pacific Northern Timber Company of Wrangell, Alaska, for preliminary permit for proposed water power Project No. 2201 to be located on Virginia Lake and Mill Creek, a tributary to Eastern Passage, in the general region of the City of Wrangell, about 6 miles east of the City on the Alaskan mainland in the First Judicial Division, Territory of Alaska, affecting lands of the United States within the Tongass National Forest. The proposed project would consist of a rock fill dam 50 feet high with crest length of 570 feet at elevation 130 feet at the outlet of Virginia Lake, providing 35,000 acre-feet of power storage; 2,210 feet of open flume; 1,500 feet of pipe conduit; a powerhouse at tidewater with installed capacity of approximately 4,600 horsepower. The energy generated would be utilized by the applicant in connection with the operation of a sawmill. The preliminary permit, if issued, shall be for the sole purpose of maintaining priority of application for a license under the terms of the Federal Power Act for the proposed project.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 23, 1956. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 56-4418; Filed, June 5, 1956; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2973]

ELECTRIC ENERGY, INC., ET AL.

SECOND SUPPLEMENTAL ORDER RELEASING JURISDICTION OVER ADDITIONAL FEES AND EXPENSES

MAY 28, 1956.

In the matter of Electric Energy, Inc., Middle South Utilities, Inc., Union Elec-

tric Company of Missouri, Illinois Power Company, Kentucky Utilities Company; File No. 70–2973.

The Commission having by its Memorandum Opinion and Order dated January 30, 1953 (Holding Company Act Release No. 11689), granted and permitted to become effective an application-declaration regarding, among other things, the issue and sale by Electric Energy, Inc., of $65,000,000 principal amount of 3¾ percent First Mortgage Sinking Fund Bonds, subject to reservation of jurisdiction over fees and expenses incurred or to be incurred in connection with the proposed transactions; and

The Commission having by its order of February 10, 1954 (Holding Company Act Release No. 12353), released jurisdiction over fees and expenses incurred up to and including the initial closing on said bonds, but having reserved jurisdiction as to fees and expenses in connection with secondary closings on said bonds; and

Electric Energy, Inc., having now filed an amendment regarding fees and expenses incurred with respect to said secondary closings on said bonds, said fees and expenses being estimated as follows:

	Fees and charges	Disbursements
Cahill, Gordon, Reindel & Ohl, general counsel to Electric Energy, Inc.	$4,500.00	$589.31
Willkie Owen Farr Gallagher & Walton, counsel to bond purchasers	6,350.00	168.97
Mayer, Friedlich, Spiess, Tierney, Brown & Platt, Illinois counsel to Electric Energy, Inc.	1,000.00	8.32
Ogden, Galphin & Abell, Kentucky counsel to Electric Energy, Inc.	1,500.00	100.00
St. Louis Union Trust Co., trustee under mortgage	16,750.00	427.25
Total	30,100.00	1,293.85

It appearing to the Commission that said fees and expenses are not unreasonable and that the jurisdiction heretofore reserved with respect thereto should be released:

It is ordered, That the jurisdiction heretofore reserved over the fees and expenses incurred in connection with the secondary closings on said bonds be and the same hereby is released, this order to be effective forthwith upon the issuance thereof and to be subject to the terms and conditions set forth in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 56–4402; Filed, June 5, 1956; 8:47 a. m.]

AXE-HOUGHTON FUND A, INC., ET AL.

NOTICE OF FILING OF APPLICATION FOR ORDER EXEMPTING TRANSACTIONS BETWEEN AFFILIATES

MAY 31, 1956.

In the matter of Axe-Houghton Fund A, Inc., Axe-Houghton Fund B, Inc., and Ultrasonic Corporation, File No. 812–1010.

Notice is hereby given that Axe-Houghton Fund A, Inc. ("Fund A") and Axe-Houghton Fund B, Inc. ("Fund B"), both registered as open-end diversified investment companies under the Investment Company Act of 1940 ("act"), and Ultrasonic Corporation ("Ultrasonic"), a corporation engaged principally in engineering and manufacturing in the electronics field have filed a joint application for an order pursuant to section 17 (b) of the act exempting certain purchase and sale transactions hereinafter described from the prohibitions of section 17 (a) of the act.

Fund A and Fund B each have directors and officers in common with the other and each is managed by E. W. Axe & Co. pursuant to an investment advisory and management contract with that firm. Fund A owns 115,000 shares, or approximately 7.2 percent of the 1,601,451 total outstanding shares, of common stock of Ultrasonic, and Fund B owns 150,000 shares, or approximately 9.4 percent of the total outstanding shares, of common stock of Ultrasonic. By reason of these stockholdings, Ultrasonic is an affiliated person of Fund A and Fund B under the act.

Section 17 (a) of the act prohibits an affiliated person of a registered investment company from selling to or purchasing from such registered investment company any securities or property, subject to certain exceptions not pertinent here. The Commission upon application pursuant to section 17 (b) may grant an exemption from the provisions of section 17 (a) if it finds that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act, and is consistent with the general purposes of the act.

In addition to their common stockholdings in Ultrasonic, Fund A owns $250,000 of 6 percent Income Convertible Bonds due 1963 of Ultrasonic, secured by a second mortgage on real estate ("second mortgage bonds"), and Fund B owns $50,000 of said second mortgage bonds. Prior to the transactions described below, Ultrasonic also had outstanding an additional $200,000 of second mortgage bonds which were owned by Value Line Fund, Inc. ("Value Line"), also a registered open-end investment company, and $102,500 of 6 percent Income Convertible Debentures due 1963 ("old debentures"). In addition, Ultrasonic has outstanding $375,000 of first mortgage notes due serially until 1958.

Ultrasonic has been experiencing financial stringency which made it necessary for it to obtain additional funds in order to preserve its organization and operations. Pursuant to a contract dated May 11, 1956, between Ultrasonic, Fund A, Fund B, Value Line and Bear, Stearns & Co. ("Bear Stearns"), Ultrasonic has agreed to issue and sell up to an aggregate of $1,578,000 principal amount of new 6 percent Debentures dated as of May 1, 1956, and due May 1, 1961 ("new debentures"), and warrants to purchase up to an aggregate of 789,000 shares of its common stock. The warrants are to be issued in the ratio of sufficient warrants to purchase 500 shares of common stock for each $1,000 principal amount of new debentures, and shall be exercisable for a period of five years at a price of $2 per share for the first two years, $2.50 per share in the third year, and $3 per share in the last two years. Of the debentures and warrants to be sold, Bear Stearns has agreed to purchase (both for its own account or for the accounts of others) $1,000,000 principal amount of debentures and warrants to purchase 500,000 shares of common stock for a cash consideration of $1,000,000, plus accrued interest from May 1, 1956, to the date of payment and delivery. Value Line has agreed to exchange its holdings of $200,000 of second mortgage bonds, together with its claim to unpaid interest thereon of $31,000 for $231,000 of new debentures and warrants to purchase 115,500 shares of common stock. If the order of exemption requested by applicants herein is issued, Fund A will exchange its $250,000 of second mortgage bonds, with rights to unpaid interest of approximately $39,000, for $289,000 of new debentures and warrants to purchase 144,500 shares of common stock, and Fund B will exchange its $50,000 of second mortgage bonds, with rights to unpaid interest of approximately $8,000 for $58,000 of new debentures and warrants to purchase 29,000 shares of common stock. The contract also provides that Ultrasonic will immediately call for redemption at a price of approximately $115,000, all of its outstanding old debentures, the terms of which would not permit the issuance of the new debentures.

In addition to the above, Bear Stearns is to purchase from Ultrasonic for $2,500 cash, additional warrants for 50,000 shares of common stock. For its services in arranging the above transaction, Bear Stearns is to receive from Ultrasonic a cash commission of $35,000.

In general, it is the policy of both Fund A and Fund B to offer investors a complete or balanced investment program by investing in bonds, preferred stock and common stocks in such proportions as are deemed best adapted to economic conditions. Fund A and Fund B purchased their holdings of second mortgage bonds as part of a private placement in May 1953, at a time when Ultrasonic was showing operating profits and when in the opinion of the Funds' managers, the second mortgage bonds were reasonably well secured and also offered a possibility of appreciation through their conversion privilege. Fund A and Fund B acquired their holdings of Ultrasonic common stock in October 1955 as part of a purchase from the company of 680,000 shares at $1 per share made by Fund A, and Fund B and certain other persons, practically all of whom were affiliates, or affiliates of affiliates, of Funds A and B. The application states that this purchase saved Ultrasonic from imminent bankruptcy, and that since October 1955 Ultrasonic has been under new management and steps have been taken to improve its financial position. However, monthly operating losses with a consequent drain on cash resources have continued. Applicants state that the money obtained from the instant financing,

amounting to about $850,000 after payment of commission to Bear Stearns and redemption of the old debentures, will permit Ultrasonic to pay up its trade vendors and all, or most, other pressing claims to a current basis and leave it with a substantial cash reserve which will carry it through an interim period during which Ultrasonic believes it can develop profitable business.

The application states that neither Bear Stearns nor Value Line is an affiliated persons of any of the applicants herein or of any affiliated person of any of said applicants, and that the terms of the above-mentioned contract were developed by arm's-length bargaining between the applicants, on the one hand, and Bear Stearns and Value Line, on the other. One of the considerations reflected in the bargaining was the unwillingness of Bear Stearns to purchase the new debentures if Ultrasonic would have outstanding any debt claims senior to the new debentures other than the outstanding first mortgage bonds and bank loans. Accordingly, Value Line agreed to accept new debentures and warrants in exchange for its holdings of second mortgage bonds, and Fund A and Fund B have also agreed to accept new debentures and warrants for their holdings of second mortgage bonds, on the same basis as Value Line, if the order requested herein is granted.

Applicants state that the prompt effectuation of the foregoing financing program was vital to the preservation of Ultrasonic's business in a healthy condition, and that accordingly it is planned to go forward with all parts of said program except for the Fund A and Fund B exchanges. Applicants also state that granting of the exemption order is important to the preservation of the best interests of all parties to the program and that the proposed transactions are consistent with the investment policies of the two Funds and consistent with the purposes of the Act.

Notice is further given that any interested person may, not later than June 15, 1956, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 56-4401; Filed, June 5, 1956; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 115]

MOTOR CARRIER APPLICATIONS

JUNE 1, 1956.

Protests consisting of an original and two copies to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (39 CFR 1.40), protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceeding shall notify the Commission by letter or telegram within 30 days of publication of this notice in the FEDERAL REGISTER. Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operations of Motor Carrier properties sought to be acquired in an application under section 5 (2) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS FOR MOTOR CARRIERS OF PROPERTY

No. MC 964 Sub 7, filed May 22, 1956, ORVILLE GRAGG, doing business as GRAGG TRUCK LINE, Valley Falls, Kans. Applicant's attorney: J. Wm. Townsend, 204-206 Central Building, Topeka, Kans. For authority to operate as a *common carrier,* over irregular routes, transporting: *Farm wagons, trailer beds and component parts thereof,* in truck load lots, between Valley Falls, Kans., on the one hand, and, on the other, points in Missouri, Iowa, Ohio, Nebraska, Kentucky, Illinois, Indiana, Wisconsin, Michigan, Minnesota, North Dakota, South Dakota, Montana, Arkansas, Oklahoma, Texas, and Colorado.

No. MC 3057 Sub 3, filed May 22, 1956, WALTON HAULING & WAREHOUSE CORP., 609-611 West 46th Street, New York 36, N. Y. Applicant's representative: William D. Traub, 60 East 42d Street, New York 17, N. Y. For authority to operate as a *common carrier,* over irregular routes, transporting: *Theatrical equipment and effects,* including electrical equipment and effects, props, scenery, musical instruments, trunks, and wardrobes, for use in stage, radio, television or motion picture productions, between points in New York, New Jersey, and Connecticut within 75 miles of New York, N. Y., including New York, N. Y., on the one hand, and, on the other, points in Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia within 250 miles of Columbus Circle, New York, N. Y.

NOTE: Applicant is authorized under Certificate No. MC 3057 to transport the above-described commodities between points in New York, New Jersey, and Connecticut within 75 miles of New York, N. Y., including New York, N. Y.

No. MC 3261 Sub 20, filed May 22, 1956, KRAMER BROS. FREIGHT LINES, INC., 4195 Central Avenue, Detroit 10, Mich. Applicant's attorney: Walter N. Bieneman, Guardian Building, Detroit 26, Mich. For authority to operate as a *common carrier,* transporting: *General commodities,* including those in bulk, but excluding those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, and those requiring special equipment, serving the Chrysler Corporation Plant located on Ohio Highway 82 (near Macedonia, Ohio), in Twinsburg Township, Summit County, Ohio, as an off-route point in connection with applicant's regular route operations between Cleveland and Salem over Ohio Highway 14. Applicant is authorized to conduct operations in Illinois, Ohio, Michigan, Pennsylvania, New York, Maryland, New Jersey, and the District of Columbia.

No. MC 3535 Sub 3, filed May 21, 1956, ATLAS GREENFIELD, doing business as LIBERTY TRANSFER AND STORAGE CO., 910 East Maxwell Avenue, Evansville, Ind. Applicant's attorney: Fred I. King, 1008-1009 Odd Fellow Building, Indianapolis, Ind. For authority to operate as a *common carrier,* over irregular routes, transporting: *Wood Creosoted telephone poles,* from Louisville, Ky., to points in Indiana on and south of U. S. Highway 40.

No. MC 28536 Sub 7, filed May 21, 1956, FOX & GINN, INC., 12 Howard Lane, Bangor, Maine. Applicant's attorney: Mary E. Kelley, 84 State Street, Boston 9, Mass. For authority to operate as a *common carrier,* over irregular routes, transporting: *New furniture* (uncrated) between points in Maine, on the one hand, and, on the other, points in New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania. Applicant is authorized to conduct operations in Massachusetts, Maine, and New Hampshire.

No. MC 29780 Sub 5, filed May 24, 1956, JOE A. HARRIS, doing business as HARRIS TRUCK LINE, 805 South Second Street, Raton, N. Mex. Applicant's attorney: Harold O. Waggoner, Simms Building, P. O. Box 1035, Albuquerque, N. Mex. For authority to operate as

a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, livestock, commodities in bulk, and commodities requiring special equipment, serving the site of the Glenn L. Martin Company plant located north of Colorado Highway 75, opposite the community of Kassler (Waterton), Colo., in connection with applicant's regular-route operations between (1) Denver, Colo., and Clayton, N. Mex., and (2) between Trinidad, Colo., and Tucumcari, N. Mex. Applicant is authorized to conduct operations in Colorado and New Mexico.

No. MC 29988 Sub 58, filed May 25, 1956, DENVER-CHICAGO TRUCKING COMPANY, INC., 2501 Blake Street, Denver, Colo. Applicant's attorney: Jack Goodman, 39 South LaSalle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the site of the Glenn L. Martin Company plant located north of Colorado Highway 75, opposite the community of Kassler (Waterton), Colo., as an off-route point in connection with applicant's regular-route operations between Denver, Colo., and Colorado Springs, Colo., over U. S. Highway 85. Applicant is authorized to conduct operations in Colorado, Washington, Wyoming, Utah, Oregon, Missouri, Illinois, and Kansas.

No. MC 30451 Sub 14, filed May 25, 1956, THE LUPER TRANSPORTATION COMPANY, 404 East Twenty-first, Wichita 2, Kans. Applicant's attorney: James F. Miller, 500 Board of Trade, 10th and Wyandotte, Kansas City 6, Mo. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Meats, Meat products*, and *Meat By-Products*, as defined by the Commission, (1) from Arkansas City, Kans., to points in Oklahoma, Texas, and New Mexico, (2) from Wichita, Kans., to points in New Mexico bounded by a line beginning at Alamogordo, N. Mex., thence in a southerly direction along U. S. Highway 54 to the Texas-New Mexico State line, thence in a westerly direction along the Texas-New Mexico State line to the junction of U. S. Highway 80, thence in a northerly direction along U. S. Highway 80 to the junction of U. S. Highways 70, thence in a northeasterly direction along U. S. Highway 70 to Alamogordo, N. Mex., including points on the indicated portions of the highways specified, and *empty containers or other incidental facilities* used in transporting the commodities specified on return. Applicant is authorized to conduct operations in Kansas, New Mexico, Texas, and Oklahoma.

No. MC 33641 Sub 25, filed May 23, 1956, INTERSTATE MOTOR LINES, INC., 235 West Third South, Salt Lake City 1, Utah. Applicant's attorney: Bertram S. Silver, 100 Bush Street, San Francisco 4, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities, including Class A and B explosives*, but excluding those of unusual value, household goods as defined by the Commission, and commodities in bulk, between Denver, Colo., and the site of the Glenn L. Martin Company plant located north of Colorado Highway 75, opposite the community of Kassler (Waterton), Colo. Applicant is authorized to conduct operations in Colorado, Utah, and Nebraska.

No. MC 35396 Sub 16, filed May 21, 1956, ARNOLD LIGON, doing business as ARNOLD LIGON TRUCK LINE, Box 429, Madisonville, Ky. Applicant's attorney: Ernest A. Brooks II, 1310 Ambassador Building, St. Louis 1, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight requires use of special equipment or handling, *related machinery parts* and *related contractors' materials and supplies* when their transportation is incidental to the transportation of commodities which by reason of size or weight require special equipment or handling, except prefabricated buildings, and except oilfield commodities as described by the Commission, between points in Kentucky on and west of U. S. Highway 51E beginning at Louisville, Ky., and extending in a southerly direction through Bardstown, Hodgenville, Glasgow and Scottsville to the Kentucky-Tennessee State Line, on the one hand, and, on the other, points in Louisiana. Applicant is authorized to conduct operations in Kentucky, Indiana, Ohio, Pennsylvania, West Virginia, Tennessee, New York, and New Jersey.

No. MC 42487 Sub 312, filed, May 7, 1956, CONSOLIDATED FREIGHTWAYS, INC., 2029 Northwest Quimby Street, Portland, Oreg. Applicant's attorney: Donald A. Schafer, Public Service Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except liquid petroleum products, in bulk, in tank vehicles, serving the Pelton Damsite (located on the Deschutes River approximately three miles off U. S. Highway 26 (formerly Oregon Highway 50), between Madras and Warm Springs, Oreg.) and points within five miles thereof, as off-route points in connection with carrier's regular route operations between Portland, Oreg., and Klamath Falls, Oreg., over U. S. Highways 26 (formerly Oregon Highway 50), and 97. Applicant is authorized to conduct operations in California, Idaho, Minnesota, Montana, Nevada, North Dakota, Oregon, and Washington.

No. MC 52657 Sub 487, filed May 24, 1956, ARCO AUTO CARRIERS, INC., 91st Street and Perry Avenue, Chicago 20, Ill. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Communication shelters*, equipped or unequipped, from Hanover, Pa., and Pikesville, Md., to points in the United States.

No. MC 52657 Sub 488, filed May 24, 1956, ARCO AUTO CARRIERS, INC., 91st Street and Perry Avenue, Chicago 20, Ill. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trailers*, other than those designed to be drawn by passenger automobiles, in initial truckaway and driveaway service, (1) from Camp Hill, and Hanover, Pa., to points in the United States, (2) *Tractors*, in secondary driveaway service, only when drawing trailers moving in initial driveaway service, as described above, from Camp Hill, and Hanover, Pa., to points in Alabama, Arizona, Arkansas, California, Colorado, Georgia, Idaho, Kansas, Louisiana, Maine, Mississippi, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Vermont, Washington, Wyoming, and the District of Columbia, and (3) bodies, from Hanover, Pa., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 55848 Sub 32, filed May 22, 1956, HUCKABEE TRANSPORT CORP., P. O. Box 479, Columbia, S. C. Applicant's attorney: A. Alvis Layne, Jr., Pennsylvania Building, Washington 4, D. C. For authority to operate as a *common carrier*, over a regular route, transporting: *General commodities*, used by the Atomic Energy Commission, including Class A and B explosives and those of unusual value, but excluding household goods as defined by the Commission, commodities in bulk, and those requiring special equipment due to size or weight, between the Savannah River Plant of the Atomic Energy Commission, at Dunbarton, S. C., and the site of the Atomic Energy Plant at Oak Ridge, Tenn., from the Savannah River Plant over South Carolina Highway 125 to junction U. S. Highway 25, thence over U. S. Highway 25 to junction South Carolina Highway 19 (also from said plant over South Carolina Highway 19), thence over U. S. Highway 25 to junction U. S. Highway 25W west of Newport, Tenn., thence over U. S. Highway 25W through Knoxville, Tenn., to Clinton, Tenn., thence over Tennessee Highway 61 to Dossett, Tenn., and thence over an unnumbered highway to Oak Ridge (also over an unnumbered highway from Knoxville via Byington, Tenn., to Oak Ridge), and return over the same route serving no intermediate points. Applicant is authorized to conduct operations in South Carolina, North Carolina Georgia and Tennessee.

NOTE: Applicant is authorized in MC 55848 Sub 30 to transport compressed inflammable gases, in bulk, in Government-owned tube trailers, and empty tube trailers, and classified and secret materials between the same two points mentioned above.

No. MC 58948 Sub 76, filed May 18, 1956, UNION TRANSFER COMPANY, doing business as UNION FREIGHTWAYS, a corporation, 720 Leavenworth Street, Omaha, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except bank bills, coin, currency, deeds, drafts, notes, postage stamps, precious metals or articles manufactured therefrom, precious stones,

revenue stamps, valuable and negotiable papers, articles or papers of extraordinary value, tank truck shipments, wild animals, dead animals, Class A and B explosives, coal, sand and gravel, and automobiles, serving the site of the Glenn L. Martin Company Plant, located north of Colorado Highway 75, opposite the community of Kassler (Waterton), Colo., as an off-route point in connection with applicant's regular-route operations to and from Denver. Applicant is authorized to conduct operations in Nebraska, Illinois, Iowa, Minnesota, Colorado, and Indiana.

No. MC 64932 Sub 211, filed May 21, 1956, ROGERS CARTAGE CO., a corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids* and *chemicals*, in bulk, in tank vehicles, from points in Will County, Ill., to points in Michigan, Indiana, Ohio, Kentucky, Tennessee, Missouri, Iowa, Minnesota, Wisconsin, and Illinois. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin.

No. MC 70451 Sub 179, filed May 18, 1956, WATSON BROS. TRANSPORTATION CO., INC., 802 South 14th Street, Omaha, Nebr. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment because of size or weight, serving the site of the Western Electric Company plant, located approximately five miles of Ralston, Nebr., and on the northeast edge of Millard, Nebr., as an off-route point in connection with applicant's regular-route operations between Lincoln, Nebr., and Omaha, Nebr. Applicant is authorized to conduct operations in Minnesota, Iowa, Missouri, Kansas, Nebraska, Illinois, Colorado, Wisconsin, South Dakota, and Wyoming.

No. MC 70451 Sub 180, filed May 18, 1956, WATSON BROS. TRANSPORTATION CO., INC., 802 South 14th Street, Omaha, Nebr. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, fresh fish, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the United States Air Force Academy located on the west side of U. S. Highway 87–85, near Husted, Colo., which lies about 60 miles south of Denver, Colo., and ten miles north of Colorado Springs, Colo., as an off-route point in connection with applicant's authorized regular-route operation between Denver, Colo., and Durango, Colo. Applicant is authorized to conduct operations in Minnesota, Iowa, Missouri, Nebraska, Kansas, Colorado, New Mexico, California, Wyoming, and Utah.

No. MC 70451 Sub 181, filed May 18, 1956, WATSON BROS. TRANSPORTATION CO., INC., 802 South 14th Street, Omaha, Nebr. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, fresh fish, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Glenn L. Martin Company plant, located north of Colorado Highway 75, opposite the Community Kassler (Waterton), Colo., as an off-route point in connection with applicant's authorized operations between Denver, Colo., and Durango, Colo. Applicant is authorized to conduct operations in Minnesota, Iowa, Missouri, Nebraska, Kansas, Colorado, New Mexico, California, Wyoming, and Utah.

No. MC 76564 Sub 55, filed May 22, 1956, HILL LINES, INC., 1300 Grant Street, Amarillo, Tex. Applicant's attorneys: Morris G. Cobb, P. O. Box 1750, Amarillo, Tex., and Donovan N. Hoover, P. O. Box 897, Santa Fe, N. Mex. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities, including Class A and B explosives*, and *commodities in bulk*, but excepting those of unusual value, household goods as defined by the Commission, and commodities requiring special equipment, (1) between Springer, N. Mex. and Clovis, N. Mex., from Springer, over New Mexico Highway 58 to junction with New Mexico Highway 39, thence over New Mexico Highway 39 to junction New Mexico Highway 18 at or near Grady, N. Mex., and thence over New Mexico Highway 18 to Clovis, and return over the same routes, serving all intermediate points; (2) between Tucumcari, N. Mex., and Clovis, N. Mex., from Tucumcari, over New Mexico Highway 18 to Clovis, serving all intermediate points; (3) between Tucumcari, N. Mex., and Logan, N. Mex., from Tucumcari over U. S. Highway 54 to Logan serving all intermediate points; (4) between Tucumcari, N. Mex., and San Jon, N. Mex., from Tucumcari over U. S. Highway 66 to San Jon, serving all intermediate points. Applicant is authorized to conduct operations in Texas and New Mexico.

No. MC 82735 Sub 1, filed May 24, 1956, HUDSON-BERGEN TRUCKING CO., a corporation, 937 38th Street, North Bergen, N. J. Applicant's attorney: Bernard F. Flynn, Jr., 1060 Broad Street, Newark 2, N. J. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Groceries*, from North Bergen, N. J., to points in Nassau, Suffolk, and Westchester Counties, N. Y. Applicant is authorized to conduct operations in New Jersey and New York.

No. MC 87857 Sub 28, filed May 22, 1956, BRINK'S INCORPORATED, 234 East 24th Street, Chicago 16, Ill. Applicant's attorney: Francis D. Partlan, same address as applicant. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Currency* and *coin*, between Los Angeles, Victorville, and Barstow, Calif., and Las Vegas, Nev. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 92983 Sub 168, filed May 21, 1956, ELDON MILLER, INC., 330 East Washington Street, Box 232, Iowa City, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids and chemicals*, and *coal tar products*, in bulk, in tank vehicles or other special equipment, between points in Marshall County, Ky., on the one hand, and, on the other, points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Ohio, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin. Applicant is authorized to conduct operations in Kansas, Missouri, Nebraska, Iowa, Minnesota, Illinois, Wisconsin, Kentucky, Louisiana, Oklahoma, Texas, West Virginia, Ohio, Arkansas, Colorado, North Dakota, South Dakota, Tennessee, Alabama, Georgia, and Mississippi.

No. MC 94265 Sub 53, filed May 24, 1956, BONNEY MOTOR EXPRESS, INC., P. O. Box 4057, Broad Creek Station, Norfolk, Va. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meat, meat products*, and *meat by-products*, as defined by the Commission, from Postville, Iowa, to points in Virginia. Applicant is authorized to conduct operations in Iowa, Illinois, Minnesota, Nebraska, and Virginia.

No. MC 95920 Sub 9 (Amended), filed May 3, 1956, published page 3444, issue of May 23, 1956, D. D. SANTRY, doing business as SANTRY TRUCKING CO., 1525 Southwest Alder Street, Portland, Oreg. Applicant's attorney: John M. Hickson, Yeon Building, Portland, Oreg. For authority to operate as a *contract carrier*, over regular routes, transporting: *Malt beverages*, from Olympia, Wash., to Portland, Oreg., over U. S. Highway 99, and *empty malt beverage containers* and *spoiled shipments* of the above-named commodity on return. Applicant is authorized to conduct operations in Oregon and Washington.

No. MC 98748 Sub 2, filed May 10, 1956, GEORGE A. DUNMYRE, GEORGE A. DUNMYRE, JR., JAMES E. DUNMYRE, KENNETH R. DUNMYRE AND ROBERT L. DUNMYRE, doing business as DUNMYRE MOTOR EXPRESS, Chicora, Pa. Applicant's attorney: Edward M. Larkin, 2003 Law and Finance Building, Pittsburgh, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Chemicals, chemical products* and *petroleum products*, except liquid commodities in bulk, between points in Butler County, Pa., on the one hand, and, on the other, points in Pennsylvania, New Jersey, Maryland, and Delaware, and (2)

Supplies and equipment, except liquid commodities in bulk, used or useful in the manufacture or processing or distribution of chemicals, chemical products, and petroleum products, from points in Pennsylvania, New Jersey, Maryland, and Delaware, on the one hand, and, on the other, points in Butler County, Pa.

No. MC 101126 Sub 52, filed May 21, 1956, STILLPASS TRANSIT COMPANY, INC., 4967 Spring Grove Avenue, Cincinnati 32, Ohio. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Asphalt additive,* in bulk, in tank vehicles, from Reading, Ohio, to Morehead City, N. C., and Jacksonville, Fla., and *Empty containers or other such incidental facilities* used in transporting the commodity specified, on return.

No. MC 103378 Sub 67, filed May 22, 1956, PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlanta National Bank Building, Jacksonville, Fla. For authority to operate as a *common carrier,* over irregular routes, transporting: *Rosin,* in bulk, in tank trucks; from Brunswick, Ga., to Hattiesburg, Miss. Applicant is authorized to conduct operations in Florida and Georgia.

No. MC 105217 Sub 38, filed May 21, 1956, RICE TRUCK LINES, 712 Central Avenue, West, Great Falls, Mont. Applicant's attorney: Randall Swanberg, 527–529 Ford Building, Great Falls, Mont. For authority to operate as a *common carrier,* over irregular routes, transporting: *Petroleum and petroleum products,* in bulk, in tank vehicles, from Cody, Lovell, Thermopolis, Newcastle, Sinclair, Casper, and Cheyenne, Wyo., and points in Wyoming within ten (10) miles of each, to points in Montana. Applicant is authorized to conduct operations in Montana, Idaho, Washington, and North Dakota.

No. MC 105556 Sub 26, filed May 14, 1956, HOUCK TRANSPORT COMPANY, 7 North 22d Street, Billings, Mont. Applicant's attorney: Franklin S. Longan, Suite 319, Securities Building, Billings, Mont. For authority to operate as a *common carrier,* over irregular routes, transporting: *Petroleum and petroleum products,* in bulk, in tank vehicles, from Glendive, Mont., and points within ten (10) miles of Glendive to points in South Dakota on and north of U. S. Highway 16 and on and west of U. S. Highway 83, and south of U. S. Highway 212. Applicant is authorized to conduct operations in Montana, North Dakota, South Dakota, and Wyoming.

No. MC 106373 Sub 21, filed May 24, 1956, THE SERVICE TRANSPORT CO., 11910 Harvard Avenue, Cleveland, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. For authority to operate as a *common carrier,* transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Ford Motor Company (Lincoln Division) plant near Wixom, on Wixom Road, Lyons Township, Oakland County, Mich., as an off-route point in connection with applicant's regular route operations to and from Detroit, Mich. Applicant is authorized to conduct operations in Ohio, Michigan, New York, and Pennsylvania.

No. MC 106398 Sub 67, filed May 24, 1956, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road (P. O. Box 896 Dawson Station), Tulsa, Okla. Applicant's attorney: John E. Lesow, 632 Illinois Building, 17 West Market Street, Indianapolis 4, Ind. For authority to operate as a *common carrier,* over irregular routes, transporting: *Trailers,* designed to be drawn by passenger automobiles, by the truckaway method, in initial movements, from Tulare and Santa Clara, Calif., to all points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 106398 Sub 68, filed May 24, 1956, NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road (P. O. Box 896 Dawson Station), Tulsa, Okla. Applicant's attorney: John E. Lesow, Illinois Building, 17 West Market Street, Indianapolis 4, Ind. For authority to operate as a *common carrier,* over irregular routes, transporting: *Trailers,* designed to be drawn by passenger automobiles, by the truckaway method, in initial movements, from Momence, Ill., to all points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 106603 Sub 44, filed May 21, 1956, DIRECT TRANSIT LINES, INC., 200 Colrain Street, SW., Grand Rapids 8, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. For authority to operate as a *common carrier,* over irregular routes, transporting: *Salt,* from Manistee, Mich., to points in Wisconsin, Iowa and Missouri. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Missouri, Ohio, and Wisconsin.

No. MC 106965 Sub 88, filed May 18, 1956, M. I. O'BOYLE & SON, INC., doing business as O'BOYLE TANK LINES, 817 Michigan Avenue NE., Washington, D. C. Applicant's attorney: Dale C. Dillon, Washington Building, Suite 944, Washington 5, D. C. For authority to operate as a *common carrier,* over irregular routes, transporting: *Liquid agricultural insecticides,* in bulk, in tank vehicles, from Baltimore, Md., to points in Ohio, Indiana, and Illinois. Applicant is authorized to conduct operations in Maryland, West Virginia, Virginia, Pennsylvania, New Jersey, North Carolina, and the District of Columbia.

No. MC 107002 Sub 95, (correction), filed May 3, 1956, published in the May 16, 1956, issue on page 3241, WALTER M. CHAMBERS, doing business as W. M. CHAMBERS TRUCK LINE, 105 Giuffrias Avenue, P. O. Box 687, New Orleans, La. For authority to operate as a *common carrier,* over irregular routes, transporting: *Petroleum* and *petroleum products,* in bulk, in tank vehicles, from Memphis, Tenn., to Benton and Bauxite, Ark. Applicant is authorized to conduct operations in Alabama, Arkansas, Georgia, Illinois, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Texas, West Virginia, Wisconsin, and the District of Columbia.

No. MC 107295 Sub 54, filed May 24, 1956, PRE-FAB TRANSIT CO., a corporation, Farmer City, Ill. Applicant's attorney: Mack Stephenson, 208 East Adams Street, Springfield, Ill. For authority to operate as a *common carrier,* over irregular routes, transporting: *Aluminum windows and sash,* from Indianapolis, Ind., to points in Pennsylvania, Mississippi, Louisiana, and Texas. Applicant is authorized to conduct operations in Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

No. MC 107475 Sub 35, filed May 21, 1956, DANCE FREIGHT LINES, INC., 728 National Avenue, Lexington, Ky. Applicant's attorney: Allan Watkins, Grant Building, Atlanta 3, Ga. For authority to operate as a *common carrier,* transporting: *General commodities,* except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Atlanta, Ga., and Columbus, Ga., from Atlanta over Georgia Highway 85 to Columbus, and return over the same route, serving no intermediate points, as an alternate route, for operating convenience only, in connection with operations between Atlanta and Columbus, Ga., which is a portion of carrier's regular route operations between Cincinnati, Ohio, and Columbus, Ga. Applicant is authorized to conduct operations in Georgia, Kentucky, North Carolina, Ohio, South Carolina, and Tennessee.

No. MC 107515 Sub 226, filed May 18, 1956, REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Allan Watkins, Grant Building, Atlanta 3, Ga. For authority to operate as a *common carrier,* over irregular routes, transporting: *Frozen foods,* from points in Michigan to points in Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, and Florida. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

No. MC 107515 Sub 227, filed May 21, 1956, REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, Grant Building, Atlanta 3, Ga. For authority to operate as a *common carrier,* over irregular routes, transporting: *Meats, packing house products, and articles distributed by packing houses,* as defined by the Commission, from Green Bay, Wis., to points in Alabama, Georgia, and Florida. Applicant is authorized to conduct operations in Ohio, Oklahoma, Georgia, North Carolina, South Carolina, Florida, Alabama, Mississippi, Louisiana, Tennessee, Wisconsin, Missouri, and Texas.

No. MC 108181 Sub 4, filed May 25, 1956, G. E. RIDDLE, doing business as RIDDLE CARTAGE, 3750 Grant Street, Gary, Ind. Applicant's attorney: Harold J. Bell, 1110–1114 Fletcher Trust Building, Indianapolis 4, Ind. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Brick*, from points in Cook County, Ill., to points in Indiana, except those in Lake, La Porte, Porter, and St. Joseph Counties, Ind., and points in Michigan, except those in Berrien, Cass, St. Joseph, Branch, Hillsdale, Calhoun, Kalamazoo, Van Buren, and Allegan Counties, Mich., and *returned shipments* of the above named commodity on return. Applicant is authorized to conduct operations in Illinois, Indiana and Michigan.

No. MC 108380 Sub 41, filed May 21, 1956, JOHNSTON'S FUEL LINERS, INC., P. O. Box 328, Newcastle, Wyo. Applicant's attorney: Stockton, Linville and Lewis, The 1650 Grant Street Building, Denver 3, Colo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum* and *petroleum products*, in bulk, in tank vehicles, from Newcastle, Wyo., to points in that part of Nebraska on and west of U. S. Highway 183. Applicant is authorized to conduct operations in Colorado, Utah, North Dakota, Nebraska, South Dakota, and Wyoming.

No. MC 108843 Sub 4, filed May 21, 1956, GLABERN CORPORATION, 5220 Montour Street, Philadelphia, Pa. Applicant's representative: G. A. Bruestle, Motor Carriers Service Bureau, Inc., southeast corner Broad and Spring Garden Streets, Philadelphia 23, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Trailers*, other than those designed to be drawn by passenger automobiles, from Philadelphia, Pa., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming. *Used and display trailers* other than those designed to be drawn by passenger automobiles, from the above-specified destination points to Philadelphia, Pa. *Trailer parts* and *articles used in the manufacture of trailers*, crated or uncrated, between Philadelphia, Pa., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 110252 Sub 40, filed May 25, 1956, JAMES J. WILLIAMS, INC., North 1108 Pearl Srteet, Spokane, Wash. Applicant's attorney: Williams B. Adams, Pacific Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fertilizers*, liquid or dry, and *materials used in manufacturing fertilizers*, in tank or hopper type vehicles, or in containers of not less than 10,000 pounds capacity each, between points in Washington on and east of U. S. Highway 97, on the one hand, and, on the other, points in Montana on and west of U. S. Highway 91. Applicant is authorized to conduct operations in Idaho and Washington.

No. MC 110486 Sub 8, filed May 22, 1956, WALTER PITTS, 301 South Fifth Street, P. O. Box 807, West Memphis, Ark. Applicant's attorney: Ernest A. Brooks II, 1310 Ambassador Building, St. Louis 1, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Commodities* (except pipe, pipeline material, machinery, equipment and supplies incidental to and used in connection with the construction, dismantling and repairing of pipelines), the transportation of which because of size or weight require the use of special handling, between points in Missouri and Illinois within a radius of forty miles of Sikeston, Mo. Applicant is authorized to conduct operations in Tennessee, Arkansas, and Illinois.

No. MC 111238 Sub 5, filed May 18, 1956, DOLLISON TRUCK LINES, INC., 1000 Pennsylvania Avenue, Charleston, W. Va. Applicant's attorney: John C. White, 400 Union Building, Charleston 1, W. Va. For authority to operate as a *common carrier*, over irregular routes, transporting: *Motion picture films*, in containers, *materials*, used in advertising the exhibition of motion pictures, and *machinery, materials*, and *supplies*, used in the maintenance and operation of sound systems and theatre projection rooms, between Cincinnati, Ohio, and points in Lincoln, Logan, and Mingo Counties, West Virginia. Applicant is authorized to conduct operations in Ohio and West Virginia.

No. MC 112520 Sub 9, filed May 24, 1956, SOUTH STATE OIL CO., New Quincy Road, P. O. Box 161, Tallahassee, Fla. Applicant's attorney: Dan R. Schwartz, Suite 713, Professional Building, Jacksonville, 2, Fla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid naval stores, naval stores products* and *products* and *by-products* derived or manufactured therefrom, including but not limited to: *rosin, molten; printing ink* or otherwise; *resin* and *resinous compounds*, synthetic or otherwise; *ester gum solution; gum turpentine; pinene; resinous oils; tall oil* and *tall oil products*, in bulk, in tank vehicles, (a) from Baxley, Ga., to points in Florida, Louisiana, North Carolina, Tennessee, and Virginia, and (b) from Pensacola, Fla., and points within 25 miles thereof, to points in Arkansas, Georgia, Illinois, Louisiana, Missouri, Ohio, and Tennessee. Applicant is authorized to conduct operations in Alabama, Florida, and Mississippi.

No. MC 112520 Sub 10, filed May 24, 1956, SOUTH STATE OIL CO., New Quincy Road, P. O. Box 161, Tallahassee, Fla. Applicant's attorney: Dan R. Schwartz, 713 Professional Building, Jacksonville 2, Fla. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Sulphuric acid* (oil of vitriol), in bulk, in tank vehicles, from Mobile, Ala., to points in Florida, (2) *liquid naval stores, naval stores products* and *products* and *by-products* derived or manufactured therefrom, including but not limited to *rosin* and *resinous compounds*, synthetic or otherwise; *ester gum solution; gum turpentine; pinene; resinous oils, tall oil* and *tall oil products*, in bulk, in tank vehicles, from Panama City, Fla., to Mobile, Ala. Applicant is authorized to conduct operations in Alabama, Florida, and Mississippi.

No. MC 113398 Sub 6, filed May 11, 1956, A. L. EMERY, doing business as CINEMA SERVICE, 231 North Loomis, Fort Collins, Colo. Applicant's attorney: Marion F. Jones, 527 Denham Building, Denver 2, Colo. For authority to operate as a *common carrier*, over regular routes, transporting: *Motion picture films* and *advertising material incidental thereto*, and *newspapers*, (1) between Denver, Colo., and McCook, Nebr., from Denver over U. S. Highway 6 to junction U. S. Highway 34 and thence over U. S. Highway 34 to McCook, Nebr., and return over the same routes, serving all intermediate points; (2) between McCook, Nebr., and Grant, Nebr., from McCook over U. S. Highway 83 to North Platte, Nebr., thence over U. S. Highway 30 to Ogallala, Nebr., and thence over Nebraska Highway 61 to Grant, and return over the same routes, serving all intermediate points, and the off-route point of Curtis, Nebr.; (3) between Grainton, Nebr., and junction Nebraska Highway 23 and U. S. Highway 83 over Nebraska Highway 23, serving all intermediate points; (4) between Denver, Colo., and Chappell, Nebr., from Denver over U. S. Highway 6 to junction U. S. Highway 138 near Sterling, Colo., thence over U. S. Highway 138 via Julesburg, Colo., to junction U. S. Highway 30, thence over U. S. Highway 30 to Ogallala, Nebr., thence over U. S. Highway 26 to Scottsbluff, Nebr., thence over Nebraska Highway 29 to Kimball, Nebr., and thence over U. S. Highway 30 to Chappell (also, from Denver as above described to the junction Colorado Highway 59 and U. S. Highway 138 at Sedgwick, Colo., thence over Colorado Highway 59 to the Nebraska-Colorado State line, and thence over unnumbered highway to Chappell), and return over the same routes, serving all intermediate points; (5) between Denver, Colo., and Palisade, Nebr., from Denver over U. S. Highway 85 to the junction of U. S. Highway 34 at Greeley, Colo., thence over U. S. Highway 34 to junction U. S. Highway 6 and thence over U. S. Highway 6 to Palisade, Nebr., and return over the same routes, serving all intermediate points; (6) between the junction of U. S. Highway 138 northeast of Sterling and Colorado Highway 113 and the junction of U. S. Highway 30 and Nebraska Highway 19 at Sidney, Nebr., from the junction of U. S. Highway 138 and Colorado Highway 113 over Colorado Highway 113 to the Colorado-Nebraska State line, and thence over Nebraska Highway 19 to the junction of

U. S. Highway 30, and return over the same routes serving all intermediate points; (7) from Scottsbluff, Nebr., and Kimball, Nebr., to Denver, Colo., (a) from Scottsbluff over U. S. Highway 26 to Torrington, Wyo., thence over U. S. Highway 85 to Cheyenne, Wyo., and thence over U. S. Highway 87 to Denver, serving no intermediate points; (b) from Kimball, Nebr., over U. S. Highway 30 to Cheyenne, Wyo., and thence over U. S. Highway 87 to Denver, serving no intermediate points.

NOTE: Applicant presently holds authority to transport motion picture films and advertising material incidental thereto between the points set forth in paragraphs No. 2, 3, and 4 and those in paragraph No. 1 excepting points west of Akron in Colorado, and so far as this portion of the application is concerned, the application is filed to obtain authority to transport newspapers in the same vehicles with the motion picture film and advertising material over routes authorized. Applicant will request revocation of all authority it now holds if and when consolidated certificate as requested herein is granted.

No. MC 113437 Sub 3, filed May 18, 1956, BELLINGER TRANSPORTATION, INC., 407 South Perry Street, Johnstown, N. Y. Applicant's representatives: Morton E. Kiel, and Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Malt beverages*, in containers, from Natick, Mass., to Gloversville, N. Y., *Empty malt beverage containers*, from Gloversville, N. Y., to Natick, Mass. Applicant is authorized to conduct operations in New York and Pennsylvania.

No. MC 113437 Sub 4, filed May 18, 1956, BELLINGER TRANSPORTATION, INC., 407 South Perry Street, Johnstown, N. Y. Applicant's representatives: Morton E. Kiel and Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Malt beverages*, in containers, from Baltimore, Md., to Catskill, Albany, Syracuse, Gloversville, Glens Falls, and Watertown, N. Y., *Empty malt beverage containers*, from Catskill, Albany, Syracuse, Gloversville, Glens Falls and Watertown, N. Y., to Baltimore, Md. Applicant is authorized to conduct operations in Pennsylvania and New York.

No. MC 115002 Sub 2, filed May 14, 1956, R. RUFUS COOK, doing business as COOK TRUCK LINES, 2007 Palmetto Road, Albany, Ga. Applicant's attorney: Robert T. Thompson, Rhodes-Haverty Building, Atlanta 3, Ga. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Peanut combines, peanut shakers, mowing machines*, and *parts therefor*, from Albany, Ga., to Des Moines, Iowa, Sioux Falls, S. Dak., Mankato, Minn., Springfield, Mass., New Kensington, Pa., Yakima, Wash., Mobile, Ala., San Fernando, Calif., and the port of entry on the international boundary between the United States and Canada at Niagara Falls, N. Y. Applicant is authorized to conduct operations in Georgia, Texas, Indiana, Illinois, Pennsylvania, New York, and Maryland.

No. MC 115050 Sub 2, filed May 10, 1956, DARRELL V. THOMPSON, doing business as THOMPSON TRANSPORT COMPANY, P. O. Box 30, McPherson, Kans. Applicant's attorney: W. A. Sawtell, Jr., Farnam Building, Omaha, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *Asphalt* and *heavy oil*, from Phillipsburg, Kans., to points in Garden, Deuel, Arthur, Keith, Perkins, Chase, Dundy, Hayes, Hitchcock, Lincoln, McPherson, Logan, Frontier, Red Willow, Furnas, Gosper, Dawson, Custer, Phelps, Harlan, Franklin, Kearney, Buffalo, Sherman, Valley, Greeley, Howard, Hall, Adams, Webster, Nuckolls, Clay, Hamilton, Merrick, Nance, Boone, Platte, Butler, Seward, York, Saline, Fillmore, Jefferson, Thayer, Polk, Lancaster, Gage, Grant, Hooker, Thomas, Blaine, Loup, Garfield, and Wheeler, Nebr. *Refused shipments* of the above-specified commodities and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application on return.

No. MC 115458 Sub 1, filed May 15, 1956 ROBERT G. VESPER AND OTIS A. VESPER, doing business as VESPER COMPANY, 6133 North Cherry Avenue, Long Beach 5, Calif. Applicant's attorney: Virgil L. Livingstone, 1507 M St. NW., P. O. Box 4636, Washington 20, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, by towaway and truckaway methods, from points in Los Angeles, Orange, and San Bernardino Counties, Calif., to points in the United States, and *damaged shipments* of the above-specified commodities, on return.

No. MC 115874, filed March 19, 1956, CAPUS BURKE, 105 Plum Avenue, Millen, Ga. Applicant's representative: G. B. Sasser, 140 Gray Street, Millen, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cotton*, in bales, *lumber, boll weevil poison*, and *farm machinery and equipment* of all types, between points in Georgia, Florida, South Carolina, North Carolina, and Tennessee.

No. MC 115974, filed May 7, 1956, JAMES T. ESTES, Noxapater, Miss. Applicant's attorney: J. Hoy Hathorn, Masonic Building, Louisville, Miss. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Cotton ties*, from Fairfield and Birmingham, Ala., and *bagging*, jute, from Gulfport, Miss., to points in Mississippi, (2) *General commodities, including those in bulk*, but excluding those of unusual value, Class A and B explosives, household goods as defined by the Commission, and those requiring special equipment, from points in Mississippi to Birmingham and Fairfield, Ala.

No. MC 115980, filed May 8, 1956, LLOYD SOWERS, doing business as LARAMIE FEED & TRUCKING SERVICE, P. O. Box 501, Laramie, Wyo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Treated poles, piling*, and *bridge timber*, (1) from Laramie, Wyo., to points in Colorado, Utah, Montana, Nebraska, Idaho; North Dakota, and South Dakota, and (2) from Denver, Colo., to points in Wyoming.

No. MC 115981, filed May 9, 1956, UNION TRANSPORTATION CO., INC., P. O. Box 2347, Sacramento, Calif. Applicant's attorney: Frank Loughran, 155 Sansome Street, San Francisco 4, Calif. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Clay sewer pipe*, and *Sewer pipe jointing materials* included in mixed shipments with clay sewer pipe but not exceeding 10 percent of the total weight of the entire shipment, from Lincoln, Calif., to all points in Nevada.

No. MC 116000, filed May 17, 1956, J. H. BROWN, BRUCE W. BROWN AND RAY BRAUDRICK, A Partnership, doing business as EMPACADORAS de MEXICO, 11th and South El Paso Streets, El Paso, Tex. Applicant's attorney: William J. Torrington, 1219 Simms Building, Albuquerque, N. Mex. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Fresh boneless meat* and *frozen boneless meat*, from the Port of Entry on the International Boundary between Mexico and the United States at or near El Paso, Tex., including El Paso, to Chicago, Ill., Philadelphia, Pa., Baltimore, Md., Kansas City, Mo., Kansas City, Kans., and Los Angeles, San Francisco, Oakland, and Sacramento, Calif.

No. MC 116007, filed May 22, 1956, MICHAEL T. CHIAMPI AND DOMINICK CHIAMPI, doing business as CHIAMPI BROS., 254 Sullivan Street, Exeter, Pa. Applicant's attorney: Daniel H. Jenkins, Mears Building, Scranton, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Malt beverages* from Newark, N. J., Baltimore, Md., New York, N. Y., and Cleveland, Ohio, to points in Luzerne County, Pa.; *nonalcoholic beverages* from Newark, N. J. to points in Luzerne County, Pa.; *empty containers or other such incidental facilities* used in transporting the above-named commodities on return.

No. MC 116008, filed May 23, 1956, ARCHIE'S MOTOR FREIGHT, INCORPORATED, 316 East Sixth Street, Richmond, Va. Applicant's attorney: Henry E. Ketner, State Planters Bank Building, Richmond 19, Va. For authority to operate as a *common carrier*, over irregular routes, transporting: *Paper* and *paper products*, between Roanoke Rapids, N. C., on the one hand, and, on the other, Middletown, Ohio.

No. MC 116010, filed May 24, 1956, D'OLIER TRUCKING CORP. 8020 Colonial Road, Brooklyn, N. Y. Applicant's attorney: August W. Heckman, 880 Bergen Avenue, Jersey City 6, N. J. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Glass*, between New York, N. Y., and points in Pennsylvania, Ohio, Massachusetts, Connecticut, Michigan, New York, and New Jersey.

No. MC 116011, filed May 24, 1956, HELMER CARLSON, doing business as CARLSON TRUCK SERVICE, P. O. Box 601, Follansbee, W. Va. Applicant's attorney: Noel F. George, 44 East Broad Street, Columbus 15, Ohio. For au-

thority to operate as a *common carrier*, over irregular routes, transporting: *Iron and steel products*, and *children's toys*, and *materials, supplies, and equipment* used in the manufacture and sale of children's toys, (1) between Weirton, W. Va., on the one hand, and, on the other, points in Ohio, New York, Pennsylvania, and West Virginia, and (2) between Glen Dale and McMechen, W. Va., on the one hand, and, on the other, points in Ohio, New York, Pennsylvania, and West Virginia.

NOTE: Applicant has contract carrier, irregular route operations in MC 33914, dated November 4, 1954. Applicant states that the purpose of this application is to convert his operation from that of a contract carrier to a common carrier, and that the permit in MC 33914 is to be revoked concurrently with the granting of the instant application.

No. MC 116013, filed May 24, 1956, TOM ALEXANDER, INC., P. O. Box 748, U. S. Highway 190 West Opelousas, La. Applicant's attorney: Henry O'Connor, 318 Hibernia Building, New Orleans, La. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Canned sweet potatoes* (yams), from points in the Parishes of West Feliciana, Saint Martin, Lafayette, Saint Landry, and Iberia, La., to points in the Counties of San Diego, San Luis Obispo, Sacramento, Fresno, Alameda, Los Angeles, San Francisco, and Stanislaus, Calif.

APPLICATIONS FOR BROKERAGE LICENSES

No. MC 12266 Sub 2, filed May 23, 1956, BEKINS VAN & STORAGE COMPANY, a corporation, 706 West Main Street, Oklahoma City, Okla. For a license (BMC 4) authorizing operations as a broker in arranging for the transportation at Tulsa, Okla., of *Household Goods*, as defined by the Commission, in interstate or foreign commerce, between all points in the United States. Applicant is authorized to perform the same operation from an office in Oklahoma City, Okla.

No. MC 12647, filed May 10, 1956, N. DALE LIGHTNER, 215 Popular Street, Hanover, Pa. Applicant's attorney: Norman T. Petow, 43 North Duke Street, York, Pa. For a license (BMC 5) authorizing operations as a broker at Hanover, Pa. in arranging for transportation of *passengers and their baggage* in the same vehicle with passengers, in round-trip special or charter all-expense tours beginning and ending at Hanover, Pa. and points within fifty (50) miles of Hanover, and extending to points in the United States. In Certificates No. MC 105704, and MC 105704 Sub 2, N. Dale Lightner, doing business as Lincoln Bus Lines, is authorized to transport passengers and their baggage between York, Pa., and Frederick, Md., in charter service beginning and ending at points in York County, Pa., and extending to points in the United States, and in special operations consisting of round-trip sightseeing, or pleasure tours beginning and ending at points in York County, Pa., and extending to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia, and New Orleans, La.

APPLICATIONS FOR MOTOR CARRIERS OF PASSENGERS

No. MC 3700 Sub 35, filed May 21, 1956, MANHATTAN TRANSIT COMPANY, a corporation, U. S. Highway 46, East Paterson, N. J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in one-way or round-trip charter operations, (1) from points in Nassau and Suffolk Counties, Long Island, N. Y., to points in the United States, and (2) beginning and ending at points in Nassau and Suffolk Counties, Long Island, N. Y., and extending to points in the United States. Applicant is authorized to conduct operations in Connecticut, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia.

No. MC 22589 Sub 7, filed May 8, 1956, CAMPUS TRAVEL, INC., doing business as CAMPUS COACH LINES, 545 Fifth Avenue, New York, N. Y. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers in charter service, beginning and ending at points in Nassau and Suffolk Counties, N. Y., within 50 miles of the Borough of Manhattan, N. Y., and points in Maine, New Hampshire, Vermont, Alabama, Florida, Georgia, North Carolina, South Carolina, Illinois, Indiana, Iowa, Kentucky, Michigan, Ohio, Wisconsin, Arkansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, Texas, Minnesota, Montana, North Dakota, South Dakota, Colorado, Kansas, Nebraska, Wyoming, Arizona, California, Nevada, New Mexico, Utah, Idaho, Oregon, and Washington, and from points in Suffolk County, N. Y., beyond 50 miles of the Borough of Manhattan, N. Y., and extending to points in the United States. Applicant is authorized to conduct operations in New York, New Jersey, Pennsylvania, Massachusetts, Connecticut, Rhode Island, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia.

No. MC 29957 Sub 63, filed May 24, 1956, CONTINENTAL SOUTHERN LINES, INC., 425 Bolton Avenue, P. O. Box 4407, Alexandria, La. Applicant's attorney: Grove Stafford, P. O. Box 1711, Alexandria, La. For authority to operate as a common carrier, over a regular route, transporting: *Passengers and their baggage, express, mail* and *newspapers*, in the same vehicle with passengers, between Junction Louisiana Highways 4 and 9 and Junction Louisiana Highways 155 and 4, from junction Louisiana Highways 4 and 9, over Louisiana Highway 9 to Saline, La., thence over Louisiana Highway 155 to junction Louisiana Highways 155 and 4, and return over the same route, serving all intermediate points, including Saline, La. Applicant is authorized to conduct operations in Texas, Louisiana, Arkansas, Alabama, Mississippi, Tennessee, Missouri, Illinois, and Kentucky.

No. MC 115976, filed May 7, 1956, ROCHESTER, OSWEGO AND WATERTOWN BUS LINES, INC., 78 East Second Street, Oswego, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, restricted to traffic originating and terminating in the territory indicated, beginning and ending at points in Jefferson, Oswego, Cayuga, Wayne, and Monroe Counties, N. Y., and extending to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, New Jersey, Delaware, Maryland, Ohio, Indiana, Illinois, Michigan, and the District of Columbia, and to ports of entry on the International Boundary line between the United States and Canada, located at or near Niagara Falls, N. Y., Peace Bridge, Buffalo, N. Y., Ambassador Bridge, Detroit, Mich., Thousand Island Bridge, Collins Landing, N. Y., and Roosevelt Bridge, Rooseveltown, N. Y.

APPLICATIONS UNDER SECTION 5 (a) AND 210 (a) (b) CORRECTION

No. MC-F 6273, published in the May 23, 1956, issue of the FEDERAL REGISTER on page 3448. The irregular route authority being transferred should read, in part, as follows: "* * * between certain points in Minnesota."

No. MC-F 6276. Authority sought for control and merger by CONSOLIDATED FREIGHTWAYS, INC., 2029 NW. Quimby Street, Portland, Oreg., of the operating rights and property of MOTOR CARGO, INC., 700 Carroll Street, Akron, Ohio. Applicant's attorney: John R. Turney, 2001 Massachusetts Avenue NW., Washington 6, D. C. Operating rights sought to be controlled and merged: *General commodities*, with exceptions including household goods, as a *common carrier* over regular routes between Akron, Ohio, and New Castle, Pa., Massillon, Ohio, and Anoka, Minn., between Youngstown, Ohio, and Minneapolis, Minn., between Sharon, Pa., and Norwalk, Ohio, between Chicago, Ill., and Green Bay, Wis., Chicago Heights, Ill., and Galesburg, Ill., between Milwaukee, Wis., and Madison, Wis., between Rockford, Ill., and Waterloo, Iowa, between Cleveland, Ohio, and Indianapolis, Ind., between Davenport, Iowa, and Minneapolis, Minn., between Youngstown, Ohio, and New York, N. Y., between Canton, Ohio, and Newark, N. J., between Pittsburgh, Pa., and Cleveland, Ohio, between Baltimore, Md., and Washington, D. C., and between St. Louis, Mo., and Onarga, Ill., serving certain intermediate and off-route points; numerous alternate routes for operating convenience only; *general commodities*, except those of unusual value, or of a bulk or size requiring special equipment, from Baltimore, Md., to Easton and Reading, Pa., and from Harrisburg and Reading, Pa., to Baltimore, Md., serving certain intermediate and off-route points; *nickel and chrome-coated metal sheets and strips*, from Walnutport, Pa., to Allentown, Pa., serving no intermediate points; *general commodities*, with

certain exceptions including household goods, over irregular routes, between Allentown and Bethlehem, Pa., on the one hand, and, on the other, certain points in Pennsylvania, between Allentown, Pa., on the one hand, and, on the other, certain points in New Jersey and Pennsylvania, and between St. Louis, Mo., on the one hand, and, on the other, certain points in Missouri and Illinois, and between points in Lake and Porter Counties, Ind., and those in Illinois within 75 miles of Chicago, including Chicago, but not including those in Illinois on U. S. Highway 41 and Illinois Highways 120 and 42. CONSOLIDATED FREIGHTWAYS, INC., is authorized to operate in Oregon, Washington, Idaho, Nevada, Minnesota, North Dakota, Montana, Utah, California, Wisconsin, Illinois, and Iowa. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6278. Authority sought for control and merger by CONSOLIDATED FREIGHTWAYS, INC., 2029 Northwest Quimby Street, Portland, Oreg., of the operating rights and property of LIBERTY MOTOR FREIGHT LINES, INCORPORATED, 1535 Paterson Plank Road, Secaucus, N. J. Applicant's attorney: John R. Turney, 2001 Massachusetts Avenue NW., Washington 6, D. C. Operating rights sought to be controlled and merged: *General commodities,* with certain exceptions including household goods, as a *common carrier* over regular routes including routes between Boston, Mass., and Chicago, Ill., between Albany, N. Y., and Batavia and Buffalo, N. Y., between Oswego, N. Y., and Newburgh and New York, N. Y., between Boston, Mass., and St. Louis, Mo., between Philadelphia, Pa., and St. Louis, Mo., between Philadelphia, Pa., and Chicago, Ill., between Baltimore, Md., and Binghamton, N. Y., between Youngstown, Ohio, and Chicago, Ill., between New Haven, Conn., and Springfield, Mass., and between Toledo, Ohio, and Detroit, Mich., serving certain intermediate and off-route points; several alternate routes for operating convenience only: *general commodities,* with certain exceptions including household goods, over irregular routes, between points in Rhode Island; *new furniture, uncrated, steel, steel moulding, steel frames, steel shelving, steel doors, steel bars,* and *steel and wood construction materials,* from points in Chautauqua and Cattaraugus Counties, N. Y., to points in New York and Pennsylvania; *packing-house products and supplies,* and *dairy products,* from Chicago, Ill., to Erie, Pa., and Buffalo and Niagara Falls, N. Y.; *fresh and frozen fish,* from Erie, Pa., to Chicago, Ill. CONSOLIDATED FREIGHTWAYS, INC., is authorized to operate in Oregon, Washington, Idaho, Nevada, Minnesota, North Dakota, Montana, Utah, California, Wisconsin, Illinois, and Iowa. Application has not been filed for temporary authority under section 210 a (b).

No. MC–F 6285. Authority sought for control by CHIPPEWA MOTOR FREIGHT, INC., 2645 Harlem Street, Eau Claire, Wis., of the operating rights and property of WILLIAM F. METZA, doing business as BERT H. JONES TRANSFER, 1419 Duncan Road, Bloomer, Wis., and for acquisition by FRANK BABBITT, also of Bloomer, of control of such rights and property through the transaction. Applicant's attorney: Donald A. Morken, 1100 First National-Soo Line Building, Minneapolis 2, Minn. Operating rights sought to be controlled: *General commodities,* with certain exceptions including household goods, as a *common carrier* over irregular routes, between Eau Claire, Wis., on the one hand, and, on the other, points in Wisconsin within 75 miles of Eau Claire; *household goods,* as defined by the Commission, between Eau Claire, Wis., and points within 75 miles of Eau Claire, on the one hand, and, on the other, points in Minnesota, Michigan, Illinois, Iowa, North Dakota, South Dakota, Indiana, Kentucky, and Ohio, CHIPPEWA MOTOR FREIGHT, INC., is authorized to operate in Minnesota, Illinois, and Wisconsin. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6286. Authority sought for control by ARTHUR R. FORSYTH, JR., 612 South 22d Street, Birmingham, Ala., of the operating rights and property of ALABAMA HIGHWAY EXPRESS, INC., 3300 South Fifth Avenue, Birmingham, Ala. Applicant's attorney: D. H. Markstein, Jr., 818 Massey Building, Birmingham, Ala. Operating rights sought to be controlled: *General commodities,* with certain exceptions including household goods, as a *common carrier* over irregular routes from, to and between certain points in Alabama, Mississippi, Tennessee, Kentucky, Indiana, Florida, Georgia, Illinois, and Ohio; *household goods,* as defined by the Commission, between Birmingham, Ala., on the one hand, and, on the other, points in Mississippi, Tennessee, Florida, Georgia, Louisiana, and Virginia; *tires, tubes, tire fabric, empty spools, winding cores, core disc, core protectors, rubber products, canned goods, glass containers, fruit juices, jams, jellies, preserves, vinegar,* and *apple products,* from, to and between certain points and areas, varying with the commodity transported, in Maryland, Alabama, Georgia, Kentucky, Mississippi, Indiana, Tennessee, Illinois, Ohio, and Virginia. Applicant holds no authority from this Commission but is affiliated with HARRIS WAREHOUSE COMPANY, which is authorized to operate in Alabama. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6287. Authority sought for purchase by NEWTON TRANSPORTATION COMPANY, INC., Box 802, Lenoir, N. C., of the operating rights and property of J. C. TOWNSEND, doing business as BERRY & DECKER TRANSFER, Hildebran, N. C., and for acquisition by ED W. NEWTON, also of Lenoir, or control of such rights and property through the purchase. Applicants' attorney: James E. Wilson, Continental Building, Washington, D. C. Operating rights sought to be transferred: *New furniture,* as a *common carrier,* over irregular routes, from Morganton, N. C., to St. Louis, Mo., New York, N. Y., and points in New Jersey, Pennsylvania, Ohio, Indiana, Virginia, West Virginia, Maryland, Illinois, South Carolina, and the District of Columbia; *damaged or rejected shipments* and *unfinished and display furniture,* from the above-specified destination points to Morganton; *materials* used or useful in the manufacture of new furniture, from the above-specified destination points to Morganton and points in North Carolina within 100 miles of Morganton. Vendee is authorized to operate in North Carolina, Maryland, Virginia, New York, New Jersey, Pennsylvania, Kentucky, Ohio, and the District of Columbia. Application has been filed for temporary authority under section 210a (b).

No. MC–F 6288. Authority sought for purchase by W. H. WOOTEN and J. H. PARKER, doing business as W. H. WOOTEN TRANSPORTS, 153 Gaston Avenue, Memphis, Tenn., of a portion of the operating rights of L. L. MAJURE and MRS. JO M. MAJURE, doing business as L. L. MAJURE, 1600 B Street, P. O. Box 1028, Meridian, Miss. Applicants' attorney: Louis I. Dailey, 2111 Sterick Building, Memphis 3, Tenn. Operating rights sought to be transferred: *Petroleum* and *petroleum products,* in bulk, in tank vehicles, as described in appendix to the report in *Descriptions in Motor Carrier Certificates,* 61 M. C. C. 209, as a *common carrier* over irregular routes from the site of the pipeline terminal of the Oklahoma-Mississippi River Products Line, Inc., at or near West Memphis, Ark., to points in Mississippi within 150 miles of West Memphis. Vendee is authorized to operate as a *common carrier* in Arkansas and Tennessee. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6290. Authority sought for purchase by DEATON TRUCK LINE, INC., 3409 North 10th Avenue, Birmingham, Ala., of a portion of the operating rights of ANNISTON MOTOR EXPRESS, INC., P. O. Box 1339, Anniston, Ala., and for acquisition by P. Y. WHITMAN, M. E. WHITMAN and H. C. WEBB, all of Birmingham, of control of such rights through the purchase. Applicants' attorney: D. H. Markstein, Jr., 818 Massey Building, Birmingham, Ala. Operating rights sought to be transferred: *General commodities,* with certain exceptions including household goods, as a *common carrier* over a regular route between Talladega, Ala., and Atlanta, Ga., serving all intermediate points in Alabama; alternate route for operating convenience only between Atlanta, Ga., and Oxford, Ala. Vendee is authorized to operate as a *common carrier* in Alabama, Georgia, Florida, South Carolina, North Carolina, Kentucky, Tennessee, Mississippi, Louisiana, Texas, Arkansas, Oklahoma, and Missouri. Application has been filed for temporary authority under section 210a (b).

No. MC–F 6291. Authority sought for purchase by WESTERN EXPRESS, 2300 Ninth Avenue, North Great Falls, Mont., of the operating rights of RUSS BAGLEY and WILLIAM HATCH, doing business as BUTTE–HELENA MOTOR FREIGHT, 1133 Oregon Avenue, Butte,

Mont., and for acquisition by JOHN S. RICE, also of Great Falls, of control of such operating rights through the purchase. Applicants' attorney: Randall Swanberg, 529 Ford Building, Great Falls, Mont. Operating rights sought to be purchased: *General commodities,* with certain exceptions including household goods, as a *common carrier* over a regular route between Butte, Mont., and Helena, Mont., serving all intermediate and certain off-route points. Vendee is authorized to operate as a *common carrier* in Montana. Application has been filed for temporary authority under section 210a (b).

No. MC–F 6292. Authority sought for purchase by FLOYD & BEASLEY TRANSFER COMPANY, INC., Sycamore, Ala., of a portion of the operating rights of ANNISTON MOTOR EXPRESS, INC., P. O. Box 1339, Anniston, Ala., and for acquisition by C. R. FLOYD and J. D. BEASLEY, both of Sycamore, of control of such rights through the purchase. Applicants' attorney: D. H. Marksetin, Jr., 818 Massey Building, Birmingham 3, Ala. Operating rights sought to be transferred: *General commodities,* with certain exceptions including household goods, as a *common carrier* over a regular route between Anniston, Ala., and Birmingham, Ala., serving all intermediate points and the off-route point of Cropwell, Ala. Vendee is authorized to operate as a *common carrier* in Alabama, South Carolina, Tennessee, and Georgia. Application has been filed for temporary authority under section 210a (b).

No. MC–F 6295. Authority sought for lease by TENNESSEE CAROLINA TRANSPORTATION, INC., 905 Mile End Avenue, Nashville 7, Tenn., of a portion of the operating rights of HOOVER MOTOR EXPRESS COMPANY, INC., Polk Avenue, Nashville, Tenn., and for acquisition by HOWARD YOUREE, MRS. ARREE YOUREE, CHARLES YOUREE, and HOWARD YOUREE, JR., all of Nashville, of control of such rights through the transaction. Applicants' attorney: Edgar Watkins, Munsey Building, Washington 4, D. C. Operating rights sought to be leased: *General commodities,* with certain exceptions including household goods, as a *common carrier,* over a regular route between Livingston, Tenn., and Crossville, Tenn., serving all intermediate points. Lessee is authorized to operate as a *common carrier* in North Carolina, Tennessee, South Carolina, and Virginia. Application has been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 56–4413; Filed, June 5, 1956; 8:50 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 1, 1956.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 32158: *Veneer—North Carolina to southwestern and western trunk-line territories.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on veneer, unfigured, carloads, as more fully described in the application, from Conway and Plymouth, N. C., to specified points in southwestern and western trunk-line territories.

Grounds for relief: Carrier competition, grouping and circuity.

Tariffs: Supplement 72 to Agent Spaninger's I. C. C. 1269; Supplement 144 to Agent Spaninger's I. C. C. 1101.

FSA No. 32159: *All freight—Illinois, Iowa, and Wisconsin to Syracuse, N. Y., and Reading, Pa.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on freight, all kinds, mixed carloads from origins in Illinois, Iowa and Wisconsin, named in Agent Prueter's tariff listed below to Syracuse, N. Y., also from Joliet, Ill., to Reading, Pa.

Grounds for relief: Motor-truck competition and circuity.

Tariff: Agent Prueter's tariff I. C. C. A–4158.

FSA No. 32160: *Barite—Arkansas and Missouri to Torrington, Wyo.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on barite (barytes), ground, carloads, from Butterfield, Malvern, National, Ark., Fountain Farm and Mineral Point, Mo., to South Torrington, Wyo.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 51 to Agent Kratzmeir's I. C. C. 4092.

FSA No. 32161: *Aluminum billets—Badin, N. C., to eastern and northern points.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on aluminum billets, ingots, pigs, or slabs, carloads, from Badin, N. C., to Cincinnati, Ohio and specified points in Connecticut, Delaware, Illinois, Indiana, Maryland, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, and West Virginia.

Grounds for relief: Motor-truck competition and circuity.

Tariffs: Supplement 13 to Agent Spaninger's I. C. C. 1509; Supplement 27 to Agent Spaninger's I. C. C. 1473.

FSA No. 32162: *Cement—Giant, S. C., to Reading, Pa., and group.* Filed by R. E. Boyle, Jr., Agent, for interested rail carriers. Rates on cement, hydraulic, natural or portland, straight or mixed carloads from Giant, S. C., to Reading, Pa., and points grouped therewith as taking Reading rates.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 43 to Agent Spaninger's I. C. C. 1173.

FSA No. 32163: *All freight—Cleveland, Ohio, to Charlotte N. C.* Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on freight, all kinds, mixed carloads from Cleveland, Ohio, to Charlotte, N. C.

Grounds for relief: Motor-truck competition and circuity.

Tariff: Supplement 4 to Agent Hinsch's I. C. C. 4685.

FSA No. 32164: *Rail-water, water-rail, and rail-water-rail rates between southern and eastern points.* Filed by R. E. Boyle, Jr., Agent, for interested rail and water carriers. Rates on various commodities moving on rail-water or water-rail commodity rates, and on rail-water-rail commodity rates through Baltimore, Md., (1) between specified points in southern territory, on the one hand, and Baltimore, Md., on the other, via rail-water or water-rail routes, and (2) between specified points in southern territory, on the one hand, and specified points in eastern territory, on the other, via rail-water-rail routes through Baltimore, Md.

Grounds for relief: Competition with all-rail carriers.

FSA No. 32165: *Water-rail, rail-water, and rail-water-rail rates, from and to eastern points.* Filed by R. E. Boyle, Jr., Agent, for interested rail and water carriers. Rates on various commodities moving on water-rail, rail-water, and rail-water-rail commodity rates, as the case may be, from and to the points hereinafter described (a) from or to Baltimore, Md., on the one hand, and to and from specified points in southern territory, on the other, and, (b) from Greensboro, N. C., to Buffalo, N. Y., and Pittsburgh, Pa., via Baltimore, Md.

Grounds for relief: Competition with all-rail carriers.

FSA No. 32166: *Prefabricated houses—Lafayette, Ind., to Montana.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on portable or prefabricated houses or buildings, carloads from Lafayette, Ind., to specified points in Montana.

Grounds for relief: Circuitous routes.

Tariff: Supplement 14 to Agent Prueter's I. C. C. 1575.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 56–4412; Filed, June 5, 1956; 8:49 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under

special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended March 1, 1956, 21 F. R. 1349).

The following learner certificates were issued authorizing the employment of not more than 10 percent of the total number of factory production workers as learners for normal labor turnover purposes:

William Barry, Inc., 250 Canal Street, Lawrence, Mass.; effective 5-18-56 to 5-17-57 (sportswear).

Bedge Brassiere Manufacturing Inc., 82 Union Street, New London, Conn.; effective 5-16-56 to 5-15-57 (brassieres).

Tiny Women, Fuhrman-Levitt, Inc., Broadway at Jefferson, Camden, N. J.; effective 5-17-56 to 5-16-57 (children's dresses).

Hartley Garment Co., Inc., 1811 Church Street, Nashville, Tenn.; effective 5-16-56 to 5-15-57 (ladies' uniform dresses).

Indiana Rayon Corp., Greenfield, Ind.; effective 5-22-56 to 5-21-57 (children's outerwear).

Mode O'Day Corp., Plant No. 2, 146 South West Temple Street, Salt Lake City, Utah; effective 5-22-56 to 5-21-57 (dresses).

Movie Star of Mississippi, Inc., Purvis, Miss.; effective 5-21-56 to 5-20-57 (ladies' slips, gowns, etc.).

Oberman Manufacturing Co., Valdosta, Ga.; effective 5-27-56 to 5-26-57 (dungarees).

Phillips-Jones Factory, Minorsville, Pa.; effective 5-20-56 to 5-19-57 (sport shirts).

W. Shanhouse Sons, Inc., Magnolia, Ark.; effective 5-17-56 to 5-16-57 (sport jackets).

Levi Strauss & Co., 501 Travis Street, Wichita Falls, Tex., effective 5-20-56 to 5-19-57 (overalls).

Sweet-Orr & Co., Inc., 68 First Street Southwest, Pulaski, Va., effective 6-1-56 to 5-31-57 (single pants).

The following learner certificates were issued for normal labor turnover purposes, except as otherwise indicated:

Bee Em Manufacturing Co., 1011 West Diamond Street, Philadelphia, Pa.; effective 5-17-56 to 5-16-57; 7 learners (boys' clothing).

Beverly Blouse Co., 27 West Oak Street, Pittston, Pa.; effective 5-20-56 to 5-19-57; 5 learners (ladies' blouses).

Carbon Hill Manufacturing Co., Inc., Carbon Hill, Ala.; effective 5-15-56 to 11-14-56; 25 learners for plant expansion purposes (boys' slacks).

Carol-Ann Apparel Corp., Cherry Tree, Pa.; effective 5-16-56 to 5-15-57; 5 learners (dresses).

County Dress Co., Inc., 52 Orawaupum Street, White Plains, N. Y.; effective 5-15-56 to 5-14-57; 5 learners (dresses).

Granville Manufacturing Co., Hillsboro Street Extended, Oxford, N. C.; effective 5-19-56 to 5-18-57; 5 learners (ladies' dresses).

Irene Garment Co., Inc., Main Street, Nicholson, Pa.; effective 5-18-56 to 5-17-57; 6 learners (ladies' blouses).

The KYM Co., Harkness Street, Jackson, Ga.; effective 5-16-56 to 5-15-57; 10 learners (single pants).

Lemont Pants Co., 310 Illinois Street, Lemont, Ill.; effective 5-21-56 to 5-20-57; 4 learners (single pants).

Meyers & Son Manufacturing Co., Corner First and Jefferson Streets, Madison, Ind.; effective 5-8-56 to 11-7-56; 30 learners for plant expansion purposes (men's coveralls) (replacement certificate).

The More Manufacturing Co., Marissa, Ill.; effective 5-21-56 to 5-20-57; 5 learners (ladies' apparel).

J. E. Plekenbrock, d/b/a Plekenbrock Co., Dubuque, Iowa; effective 5-21-56 to 5-20-57; 5 learners (ladies' wash uniforms, hospital garments, etc.).

Southern Athletic Co., Inc., 111 17th Street, Knoxville, Tenn.; effective 5-17-56 to 11-16-56; 100 learners for plant expansion purposes (men's apparel).

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended March 1, 1956, 21 F. R. 581).

Indianapolis Glove Co., Inc., Mount Ida, Ark.; effective 5-21-56 to 11-20-56; 25 learners for plant expansion purposes (work gloves).

Scotsmoor Co., Inc., 29-35 North Market Street., Johnstown, N. Y.; effective 5-16-56 to 5-15-57; 10 learners for normal labor turnover purposes (knitted gloves and mittens).

Leon F. Swears, Inc., 111-113 North Perry Street, Johnstown, N. Y.; effective 5-18-56 to 5-17-57; 10 percent of factory production workers engaged in the authorized learner occupations (dress gloves).

Wells Lamont Corp., 299A Beacon Street, Philadelphia, Miss.; effective 5-20-56 to 5-19-57; 10 percent of factory production workers engaged in the authorized learner occupations (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended March 1, 1956, 21 F. R. 629).

Interwoven Stocking Co., Prospect and Church Streets, Hagerstown, Md.; effective 5-16-56 to 5-15-57; 5 percent of factory production workers for normal labor turnover purposes (seamless).

Independent Telephone Industry Learner Regulations (29 CFR 522.70 to 522.74, as amended March 1, 1956, 21 F. R. 581).

Hawkinsville Telephone Co., Hawkinsville, Ga.; effective 5-18-56 to 5-17-57.

Northern Ohio Telephone Co., McComb, Ohio; effective 5-21-56 to 9-30-56.

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended March 1, 1956, 21 F. R. 581).

Athens Lingerie Corp., Athens, Ala.; effective 5-21-56 to 11-20-56; 50 learners for plant expansion purposes (knit underwear and sleepwear).

East Tennessee Undergarment Co., Inc., 707 East Elk Avenue, Elizabethton, Tenn.; effective 5-18-56 to 5-17-57; 5 percent of factory production workers for normal labor turnover purposes. (Ladies' knit underwear.) (Authorizing additional occupation of final inspector for a maximum learning period of 160 hours.)

East Tennessee Undergarment Co., Inc., 707 East Elk Avenue, Elizabethton, Tenn.; effective 5-18-56 to 11-17-56; 20 learners for plant expansion purposes. (Ladies' knit underwear.) (Authorizing additional occupation of final inspector for a maximum learning period of 160 hours.)

Johnstown Knitting Mill Co., Johnstown, N. Y.; effective 5-17-56 to 5-16-57; 5 percent of factory production workers for normal labor turnover purposes (knitted outerwear).

Millheim Manufacturing Co., Inc., Center and Water Streets, Millheim, Pa.; effective 5-21-56 to 5-20-57; 5 learners for normal labor turnover purposes (swimsuits).

Norwich Mills, Inc., Norwich, N. Y.; effective 5-17-56 to 5-16-57; 5 percent of factory production workers for normal labor turnover purposes (knitted outerwear).

Regulations applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F. R. 645).

The following learner certificates were issued for normal labor turnover purposes, except as otherwise indicated, to the companies listed below manufacturing miscellaneous products. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as follows:

Artcraft Products, Cleveland, N. C.; effective 5-17-56 to 11-16-56; not less than 85 cents per hour for a maximum of 240 hours, for the occupations of hand weavers and sewing machine operators; authorizing the employment of 5 learners (ladies' nylon handbags).

Carver Manufacturing Co., Inc., North Jackson Street, Athens, Tenn.; effective 5-17-56 to 10-29-56; not less than 80 cents per hour for the first 320 hours and 85 cents per hour for the remaining 160 hours of the 480-hour learning period, for the occupation of upholsterer; authorizing the employment of 10 learners (upholstered furniture). (Replacement certificate.)

DeRuyter Textile Co., DeRuyter, N. Y.; effective 5-18-56 to 11-17-56; not less than 90 cents per hour for a maximum of 160 hours, for the occupation of sewing machine operator; authorizing the employment of 2 learners (silverwear and cutlery containers).

Double Envelope Corp., 532 West Luck Avenue, Roanoke, Va.; effective 5-17-56 to 11-16-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupations of printing press operator and folding machine operator; authorizing the employment of ten percent of factory production workers (envelopes).

Jacob I. Hubbart-Pennwin Clothes Corp., 26th and Reed Streets, Philadelphia, Pa.; effective 5-17-56 to 11-16-56; not less than 85 cents per hour for the first 280 hours and 90 cents per hour for the remaining 200 hours of the 480-hour learning period, for the occupations of sewing machine operators, hand sewer, and finishing operations involving hand sewing; authorizing the employment of five percent of factory production workers (men's suits).

Oxford-Hopkins Co., Inc., 210 Broad Street, Lynn, Mass.; effective 5-18-56 to 11-17-56; not less than 87 cents per hour for the first 240 hours and 93 cents for the remaining 240 hours of the 480-hour learning period, for the occupations of scarfing, sticking, studding, stapling, measuring and spooling, and stitching; authorizing the employment of ten percent of factory production workers (footwear cut stock and findings).

Schultz Co., 2028 Washington, St. Louis, Mo.; effective 5-16-56 to 11-17-56; not less than 87 cents per hour for the first 240 hours and 93 cents per hour for the remaining 240 hours of the 480-hour learning period, for the occupations of dyer and finisher, and shoe repairer; authorizing the employment of 30 learners for plant expansion purposes (shoe repair, refinishing).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this no-

tice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 22d day of May 1956.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 56-4398; Filed, June 5, 1956; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order SA-57]

CONCORDIA, S. A.

In re: Debt or other obligation owing to Concordia, S. A., otherwise known as Concordia Soc. Anon Roumaine; F-57-229.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of the National Supply Company, New York, N. Y., arising out of an overpayment on an account receivable to its former wholly-owned subsidiary, National Supply Export Corporation, maintained at said company, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by Concordia, S. A., otherwise known as Concordia Soc. Anon Roumaine, Bucharest, Rumania, a national of Rumania as defined in said executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to Section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 31, 1956.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 56-4419; Filed, June 5, 1956; 8:51 a. m.]

[Vesting Order SA-58]

CUSMO, S. A.

In re: Debt owing to Cusmo, S. A., F-57-225.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of Libby, McNeill & Libby, Chicago 9, Illinois, arising out of an account payable entitled "Special Deposit—Bucarest (Cusmo, S. A.)", maintained by the aforesaid company, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by Cusmo, S. A., Bucharest, Rumania, a national of Rumania as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to Section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 31, 1956.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 56-4420; Filed, June 5, 1956; 8:51 a. m.]

[Vesting Order SA-59]

"FUTURA" TRADING CO., LTD.

In re: Debt owing to "Futura" Trading Co. Ltd. of Hungarian Cooperative Unions, also known as "Moszk" Landeszentrale Ungarischer Genossenschaften; F-34-158, D-63-270.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of The First National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of an account entitled, "Superintendence Company, Inc., Special Account, New York, New York", maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is and as of September 15, 1947, was, owned directly or indirectly by "Futura" Trading Co. Ltd. of Hungarian Cooperative Unions, also known as "Moszk" Landeszentrale Ungarischer Genossenschaften, Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the

International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on May 31, 1956.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 56-4421; Filed, June 5, 1956; 8:51 a. m.]